



# CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

## BOARD OF DIRECTORS MEETING

### Board of Directors

**Derek Yurosek** Chair, Cuyama Basin Water District

**Paul Chounet** Vice Chair, Cuyama Community Services District

**Cory Bantilan** Secretary, Santa Barbara County Water Agency

**Matt Vickery** Treasurer, Cuyama Basin Water District

**Byron Albano** Cuyama Basin Water District

**Lynn Compton** County of San Luis Obispo

**Zack Scrivner** County of Kern

**Arne Anselm** County of Ventura

**Lorena Stoller** Cuyama Basin Water District

**Das Williams** Santa Barbara County Water Agency

**Jane Wooster** Cuyama Basin Water District

## AGENDA

NOVEMBER 2, 2022

Agenda for a meeting of the Cuyama Basin Groundwater Sustainability Agency Board of Directors to be held on Wednesday, November 2, 2022, at 2:00 PM at the **Cuyama Valley Resource Center 4689 CA-166 b, New Cuyama, CA 93254**. Participate via computer at: <https://rb.gy/zmcwmv> or by going to Microsoft Teams, downloading the free application, then entering Meeting ID: 263 837 418 459 Passcode: 6qzh93, or enter or telephonically at (469) 480-3918 Phone Conference ID: 544 230 945#.

### Teleconference Locations:

4689 CA-166 b, New Cuyama, CA 93254	800 South Victoria Avenue, Ventura, California, 93004	1055 Monterey Street, San Luis Obispo, CA 93408	498 W Tehachapi Blvd, Tehachapi, CA 93561	5241 8 <sup>th</sup> Street, Carpinteria, 93013
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The order in which agenda items are discussed may be changed to accommodate scheduling or other needs of the Board or Committee, the public, or meeting participants. Members of the public are encouraged to arrive at the commencement of the meeting to ensure that they are present for discussion of all items in which they are interested.

*In compliance with the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services, to participate in this meeting, please contact Taylor Blakslee at (661) 477-3385 by 4:00 p.m. on the Friday prior to this meeting. The Cuyama Basin Groundwater Sustainability Agency reserves the right to limit each speaker to three (3) minutes per subject or topic.*

1. Call to Order (Yurosek) (1 min)
2. Roll Call (Blakslee) (1 min)
3. Pledge of Allegiance (Yurosek) (1 min)
4. Standing Advisory Committee Meeting Report (Kelly) (3 min)

### CONSENT AGENDA

*Items listed on the Consent Agenda are considered routine and non-controversial by staff and will be approved by one motion if no member of the Board or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Board concerning the item before action is taken.*

5. Approval of Minutes – September 7, 2022 (Yurosek) (1 min)
6. Approval of Payment of Bills for August and September 2022 (Blakslee) (1 min)

7. Approval of Financial Report for August and September 2022 (Blakslee) (1 min)
8. Approval of 2023 Meeting Calendar (Blakslee) (1 min)

#### **ACTION ITEMS**

9. Discussion and Appropriate Action on Central Management Area Policy Considering Wells In/Out of the CMA (Beck/Hughes) (15 min)
10. Discussion and Appropriate Action on CMA Variance Requests (Beck/Hughes) (30 min)
11. Discussion and Appropriate Action on Administration of Pumping Reductions in the Central Management Area (Beck/Hughes) (10 min)
12. Approval of GSA Well Permit Policy and Forms (Beck/Hughes) (10 min)
13. Discussion and Appropriate Action on Adaptive Management Analysis (Van Lienden, Beck, Hughes) (45 min)
14. Discussion and Appropriate Action on Strategy for Managing Pumping throughout the Basin (Beck/Hughes) (20 min)
15. Discussion and Appropriate Action on Strategy for Continuing Evaluation of Basin Faults (Beck/Van Lienden) (30 min)
16. Authorize Development and Submittal of an Application for a DWR Grant Round 2 Funding Opportunity (Van Lienden) (10 min)
17. Adopt Resolution No. 2022-11 Designating the CBGSA Board Chairperson as the Authorized Representative to File an Application and Execute an Agreement with the California Department of Water Resources for the SGMA Implementation Grant Round 2 (Blakslee) (2 min)

#### **REPORT ITEMS**

18. Administrative Updates
  - a) Report of the Executive Director (Beck) (1 min)
  - b) Report of the General Counsel (Hughes) (1 min)
19. Technical Updates
  - a) Update on Groundwater Sustainability Plan Activities (Van Lienden) (2 min)
  - b) Update on Effort to Identify Potential Non-Reporting Pumpers (Blakslee) (5 min)
  - c) Update on Implementation of Grant-Funded Projects (Van Lienden) (5 min)
  - d) Update on Monitoring Network Implementation (Van Lienden) (2 min)
  - e) Report on Annual Water Quality (Van Lienden) (10 min)

#### **CLOSED SESSION**

20. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code section 54956.9, subdivision (d)(2)
  - a) Number of Potential Cases: One

#### **REGULAR SESSION**

21. Report of the Ad Hoc Committee (1 min)
22. Directors' Forum (1 min)
23. Public comment for Items Not on the Agenda (5 min)
24. Correspondence (1 min)
25. Adjourn (5:34 p.m.)

2022

**Board Ad hoc List**

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

<b>Adaptive Management</b>	Anselm Bantilan Vickery Yurosek
<b>Basin-Wide Water Management</b>	Anselm Bantilan Chounet Yurosek
<b>Central Management Area Policy</b>	Anselm Bantilan Chounet Vickery Wooster
<b>Grant-Funded Items</b>	Albano Chounet Vickery Williams
<b>New Well Permits Policy</b>	Anselm Compton Stoller Williams Yurosek
<b>Unknown Extractors</b>	Anselm Vickery

Cuyama Basin Groundwater Sustainability Agency  
Board of Directors Meeting

September 7, 2022

**Draft Meeting Minutes**

**PRESENT:**

Yurosek, Derek – Chair  
Chounet, Paul – Vice Chair  
Bantilan, Cory – Secretary  
Vickery, Matt – Treasurer  
Albano, Byron  
Anselm, Arne  
Elliot, Darcel – Alternate for Das Williams  
Klinchuch, Matt – Alternate for Lorena Stoller  
Scrivner, Zack  
Wooster, Jane  
Beck, Jim – Executive Director  
Hughes, Joe – Legal Counsel

**ABSENT:**

Compton, Lynn

**1. Call to Order**

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Chair Derek Yurosek called the meeting to order at 2:01 p.m.

CBGSA Executive Director Jim Beck reminded meeting attendees to use the Microsoft Teams chat for indicating to staff that they have a question.

**2. Roll Call**

Mr. Blakslee called roll (shown above) and informed Chair Yurosek that there was a quorum of the Board.

**3. Pledge of Allegiance**

The pledge of allegiance was led by Chair Yurosek.

**4. Standing Advisory Committee Meeting Report**

SAC Chair Brenton Kelly provided a report on the September 1, 2022, SAC meeting and is included below:

***Standing Advisory Committee Report***

***Meeting Date: September 1st, 2022***

***Submitted to the CBGSA Board on September 7th, 2022***

*By Brenton Kelly, SAC Chairperson*

*The Standing Advisory Committee met at the Cuyama Valley Rec. Center in a hybrid format, with six of our seven committee members present in-person. GSA Staff Taylor Blakeslee, Joshua Montoya, and Alex Dominguez were in the room joined by Jim Beck and Brian Van Lienden on the call, and some public both in the room and on the teleconference. A complex series of discussions ensued as the Committee shared with staff our local perspectives and offered constructive and thoughtful feedback on the 120 pages of material for our agenda. Averaging ½ minute a page, the SAC meeting wrapped up in under five hours. It is certainly this Committee's hope that both the GSA and Staff can benefit from the thoughtful and constructive feedback from these beneficial users of groundwater in our Basin. The SAC does however, continue to lack the perspective of the Latino Community for whom we reserve two seats on our Committee and continue to welcome applicants.*

*This meeting engaged in several substantial policy issues involving the management of pumping reductions in the GSP to achieve Sustainability. This Committee is encouraged that these difficult policy details are finally coming to the fore. These discussions must happen for the decisions that have to be made. And for many reasons, we must continue making these decisions with less than perfect data. One agreement among the SAC participants was that the facts, tables, and charts presented in this packet clearly depict a Basin in rapid groundwater depletion with limited available remedies anytime soon. On behalf of the SAC, I submit this report in hopes that the GSA Board will seriously consider our comments, concerns and recommendations.*

#### **#9 Direction on GSA Well Permit Policy**

*The SAC dove into several of the details of this policy. The specific requirements of safely decommissioning abandoned wells were emphasized. Provisions for downgrading an old well to de minimis, domestic use or for monitoring purposes was suggested for consideration. The SAC asked what specific criteria were required for the Hydrological Report from any new well applicants. Several Committee members asked that the GSA define the criteria rather than expecting each applicant to review the entire GSP. Several Committee members and public participants endorsed a zoned area overlay approach that could recognize the various degrees of impact vs. benefit this and other policies have within each Threshold Region. In addition it was recommended that the policy clearly identify the process including review by GSA hydrological consultants. This item is seen as the first available policy to immediately control the development of new or additional groundwater extraction operations in our already critically overdrafted Basin. This is an authority that this GSA has and should continue to develop the procedural details thoroughly.*

*Option 2 was generally agreed on, that the GSA Board should approve or deny all new well applications after being reviewed by staff and a GSA committee.*

#### **#10 Direction on Administration of Pumping Reductions in the Central Management Area**

*Committee Member Haslett continued to encourage a 'tiered' approach to the methodology of administering pumping reductions. He noted some operations waste*

more water in overspray daily than most small farmers in the valley use in a season. Low water use practices should be recognized and encouraged while waste should be discouraged or penalized. Brad Debranch pointed out that the GSA does not yet know who the big or small pumpers are, because we do not have the comprehensive information for the 'Farm Unit' with all its APNs tied to the production wells and their conveyance infrastructure. The need to understand where water is being pumped into and out of the CMA was recognized. The information that could fill this data gap is now being solicited by the GSA, as each landowner must list the APNs their well(s) serve and how many acre-feet of water was used on each APN when reporting their monthly groundwater use for each well. In the public comment, Casey Walsh expressed the need for an inventory of conveyance pipelines across APN's, and Lynn Carlisle pointed out the QA/QC needs for some spot check verification of the self-reported data. The SAC recognizes both the challenges and the value in having a water accounting budget at the farm scale such as is being proposed for this next year.

#### **#11 Direction on Basin-Wide Water Management Policies**

The SAC has received no evidence of increased water use outside the Central Management Area. While Joe Haslett promoted the use of the original 6 Threshold Regions for a finer detailed analysis and consistency with the GSP, Brad Debranch stressed that until somehow proven otherwise, the Cuyama Basin should be considered all one linked basin. Jean Gaillard pointed out that the pumping restrictions in the CMA alone would not be enough to reach sustainability. Robbie Jaffe observed that all the pumping imbalance west of the Russell Fault is due to one irrigated farm operation, the rest is mostly unirrigated rangeland. From the public comment, Ann Myhre pointed out that most of the valley is open range land that only uses 1-inch of water per acre for cattle, and is therefore not a part of the overdraft problem. Committee Chair Kelly recommended that land-use data be added to the table. What % of these three regions are unirrigated? How much, or little area of the Basin is using too much water? This led to the ongoing discussion of a 'tiered' approach. If the model can be used to generate a predicted drawdown contour for management purposes, then the bullseye of drawdown contours could be used to indicate where the gradient of overdraft could inform the tiered gradient of pumping reductions. Every landowner would be treated equal to the degree of drawdown in their area. All but one Committee member agreed to the need for a more nuanced and targeted approach to implementing pumping restrictions if they were to be applied outside the CMA. It was generally agreed that no increase in pumping should be allowed to happen anywhere that is already out of balance in the basin, and that further investigation was needed to develop a more nuanced policy.

#### **#13b Update on Adaptive Management Analysis**

The GSA will request a well survey of all wells in the basin, including small, domestic, and de minimis wells, that will identify landowner information, well location and construction information. This information was not available when the Sustainability Criteria (SCs) were first determined and it is now being compiled to help consider whether lowering the Minimum Thresholds (MTs) could still be protective of those beneficial users. Of the SAC members who live in the valley it was passionately expressed that only reducing the overdraft would be protective of these users, simply changing the SC and lowering the MTs would protect nothing. Steady groundwater elevation declines have been the

*predictable trend for the last 5 decades. Robbie Jaffe said she was “absolutely outraged” that the only viable consideration of the Adaptive Management team is to move the goal posts for Minimum Thresholds. Jaffe said “Are we managing for Sustainability or are we managing for Depletion?”*

*A deep analysis into historical weather patterns by Woodard and Curran concluded there was an ‘inconclusive correlation of groundwater level recovery in the Central region during a wetter period’. We learned that even under more favorable precipitation we would likely still be exceeding our MTs and experiencing overdraft in the Main basin and Northwest, when the Ventucopa area could expect to show some recovery. Every farmer in the room (valley) knew this already. Somehow this data will help in the context of the glidepath modeling analysis to be presented in November. The question of recharge was raised as to whether any measurable recharge is happening to the older, deeper aquifer that greens the farms of the CMA?*

**#13c Report on Variance Request for the Central Management Area Allocations**

*This item illustrated the need to manage the allocations of groundwater, not by APN but by the well that is extracting the water, in connection with all the acres it is irrigating. The ‘farm unit’ must identify the landowner with all of their APN’s, and the wells that service it, whether inside or outside the CMA.*

*The fast timeline of the Variance Request process has raised concerns, especially for Requests that were returned undelivered. It was felt that some time extensions may be warranted for some late responses.*

**#13e Update on Implementation of Grant-Funded Projects**

*Committee Member Joe Haslett encouraged the idea of the River Channel Survey and asked why not survey the whole Cuyama River channel, not just four miles of it? A quality LIDAR and photographic survey by a drone could be one of the best Investments in basin understanding for identifying anything from recharge potentials to riparian habitat. More pump testing to determine if the Russell Fault is a barrier to flow should be prioritized.*

**13i. Schedule for Fiscal Year 2023-2024 Model Update**

*It was requested that the data from the piezometers and the pump tests would be included in the Model Update. And it was anticipated that the Model would be updated to include the information about the Farm Unit with their production wells so that the model does not have to assume that the applied water just comes right up from under the field being irrigated.*

**13h. Update on Quarterly Groundwater Conditions Report for July 2022**

*Saving the worst news for last, this Quarterly Groundwater Report shows that 3 new wells have dropped below their Measurable Objective, and four more wells have dropped below their Minimum Thresholds. That is now 52% out of compliance, if you discount the three wells that have had no data collection since the GSP was adopted. The trigger for Undesirable Results is expected in less than 8 months. No Management Action is being proposed by the GSA other than changing the Sustainability Criteria metrics.*

*Respectfully Submitted, Brenton Kelly  
SAC Chairperson*

**Reporte del Comité Consultivo**

**Permanente Fecha de junta: 1 de septiembre, 2022**

*Sometido a la Junta de CBGSA el 7 de Septiembre, 2022*

*Autor: Brenton Kelly, Presidente del SAC*

*El Comité Consultivo Permanente se reunió en el centro de recreación de Cuyama Valley en un formato híbrido, con seis de los siete miembros de nuestro comité presentes en persona.*

*Personal de la GSA incluyendo Taylor Blakeslee, Joshua Montoya y Alex Domínguez estaban en la sala acompañados por Jim Beck y Brian Van Lienden en la llamada, y unos miembros del público en la sala como en la teleconferencia. Una serie compleja de discusiones tomó lugar cuando el Comité compartió con el personal nuestras perspectivas locales y ofrecimos comentarios constructivos y reflexivos sobre las 120 páginas de material para nuestra agenda. Con un promedio de ½ minuto por página, la reunión del SAC concluyó en menos de cinco horas. Este Comité espera que la GSA y el personal de la GSA puedan beneficiarse de los comentarios reflexivos y constructivos de estos usuarios beneficiosos de las aguas subterráneas en nuestra cuenca. Sin embargo, el SAC sigue careciendo de la perspectiva de la comunidad latina para quien reservamos dos puestos en nuestro Comité y continuamos dando la bienvenida a aplicantes.*

*Esta reunión se dedicó a varias cuestiones de política sustanciales relacionadas con la gestión de las reducciones de bombeo en el GSP para lograr la sostenibilidad. Este Comité se siente alentado por el hecho de que estos detalles de política difíciles finalmente están saliendo a la luz. Estas discusiones deben suceder para las decisiones que se deben tomar. Y por muchas razones, debemos continuar tomando estas decisiones con información que es menos que perfecta. Un acuerdo entre los participantes del SAC fue que los hechos, las tablas y los gráficos presentados en este paquete representan claramente una cuenca en rápido agotamiento de las aguas subterráneas con remedios disponibles limitados en el corto plazo. Por medio del SAC, presentó este reporte con la esperanza de que la Junta de CBGSA considere seriamente nuestros comentarios, inquietudes y recomendaciones.*

**#9 Dirección sobre la política de permisos de pozos de la GSA**

*La SAC se preocupó en varios de los detalles de esta política. Se enfatizó los requisitos específicos para el desmantelamiento seguro de pozos abandonados. Se sugirió la consideración de disposiciones para degradar un pozo viejo a de minimis, uso doméstico o monitoreo. El SAC preguntó qué criterios específicos se requerían para el reporte hidrológico de cualquier solicitante de un pozo nuevo. Varios miembros del Comité pidieron que la GSA definiera los criterios en lugar de esperar que cada solicitante revisará todo el GSP. Varios miembros del Comité y participantes públicos respaldaron un enfoque de superposición de áreas zonificadas que podría reconocer los diversos grados de impacto frente a los beneficios que tienen esta y otras políticas dentro de cada Región Umbral. Además, se recomendó que la política identifique claramente el proceso, incluida la revisión por parte de consultores hidrológicos de la GSA. Este asunto es visto*



*como la primera política disponible para controlar de inmediato el desarrollo de operaciones de extracción de agua subterránea nuevas o adicionales en nuestra críticamente sobreexplotada cuenca. Esta es una autoridad que tiene esta GSA y debe continuar desarrollando los detalles del procedimiento completamente.*

*En general, se acordó la Opción 2, que la Junta de GSA debe aprobar o rechazar todas las solicitudes de pozos nuevos después de ser revisadas por el personal y un comité de la GSA.*

#### **#10 Dirección de Administración de Reducciones de Bombeo en el Área de Gestión Central**

*El miembro del comité, Haslett, continuó alentando un enfoque "por niveles" para la metodología de administración de las reducciones de bombeo. Noto que algunas operaciones desperdician más agua en exceso de rociado diariamente que la que la mayoría de los pequeños agricultores del valle usan en una temporada. Las prácticas de bajo uso de agua deben ser reconocidas y fomentadas mientras que el desperdicio debe ser desalentado o penalizado. Brad Debranch señaló que la GSA aún no sabe quiénes son los bombeadores grandes o pequeños, porque no tenemos la información completa de la "Unidad agrícola" con todos sus APN vinculados a los pozos de producción y su infraestructura de transporte. Se reconoció la necesidad de comprender dónde se bombea el agua hacia adentro y hacia afuera del Área de Manejo Central (CMA). La GSA ahora solicita la información que podría llenar este vacío de datos, ya que cada propietario debe enumerar las APN a las que sirven sus pozos y cuántos acre-feet de agua se usaron en cada APN al informar su uso mensual de agua subterránea para cada pozo. En el comentario público, Casey Walsh expresó la necesidad de un inventario de las tuberías de transporte a través de APN, y Lynn Carlisle señaló las necesidades de QA/QC para alguna verificación puntual de los datos autoinformados. La SAC reconoce tanto los desafíos como el valor de contar con un presupuesto de contabilidad del agua a escala de "Unidad agrícola" como el que se propone para este próximo año.*

#### **#11 Dirección sobre políticas de gestión del agua en toda la cuenca**

*El SAC no ha recibido evidencia de un mayor uso de agua fuera del Área de Manejo Central. Mientras que Joe Haslett promovió el uso de las 6 regiones de umbral originales para un análisis más detallado y coherente con el GSP, Brad Debranch enfatizó que hasta que se demuestre lo contrario, la cuenca de Cuyama debe considerarse como una sola cuenca interconectada. Jean Gaillard señaló que las restricciones de bombeo en la CMA por sí solas no serían suficientes para alcanzar la sostenibilidad. Robbie Jaffe observó que todo el desequilibrio de bombeo al oeste de la falla Russell se debe a una operación agrícola irrigada, el resto es en su mayoría pastizales sin irrigación. Del comentario público, Ann Myhre señaló que la mayor parte del valle es terreno abierto que solo usa 1 pulgada de agua por acre para el ganado y, por lo tanto, no es parte del problema del sobregiro. El presidente del comité, Kelly, recomendó que se agreguen datos sobre la utilización de la tierra a la tabla. ¿Qué % de estas tres regiones no son regadas? ¿Cuánta o qué poca área de la cuenca está usando demasiada agua? Esto condujo a la discusión en curso de un enfoque "por niveles". Si el modelo de la cuenca se puede utilizar para generar un contorno de reducción previsto con fines de gestión, entonces la diana de los contornos de reducción podrían usarse para indicar dónde el gradiente de sobregiro podría informar el gradiente escalonado de las reducciones de*

*bombeo. Cada propietario sería tratado igual al grado de reducción en su área. Todos los miembros del Comité, excepto uno, estuvieron de acuerdo con la necesidad de un enfoque más matizado y específico para implementar restricciones de bombeo si se aplicaran fuera de la CMA. En general, se acordó que no se debe permitir que ocurra un aumento en el bombeo en ningún lugar que ya esté desequilibrado en la cuenca, y que se necesita más investigación para desarrollar una política más matizada.*

### **#13b Actualización sobre análisis de gestión adaptativa**

*La GSA solicitará un estudio de pozos de todos los pozos en la cuenca, incluidos los pozos pequeños, domésticos y de minimis, que identificará la información del propietario, la localización e información de construcción del pozo. Esta información no estaba disponible cuando se determinaron por primera vez los Criterios de Sostenibilidad (SC) y ahora se está compilando para ayudar a considerar si la reducción de los Umbrales Mínimos (MT) todavía podría proteger a esos usuarios beneficiosos. De los miembros del SAC que viven en el valle se expresó con pasión que solo reducir el sobregiro protegería a estos usuarios, simplemente cambiar el SC y bajar los MT no protegería nada. Las disminuciones constantes de la elevación del agua subterránea han sido la tendencia predecible durante las últimas 5 décadas. Robbie Jaffe dijo que estaba "absolutamente indignada" de que la única consideración viable del equipo de Gestión Adaptativa es cambiar los postes de la meta para los Umbrales Mínimos.*

*Jaffe dijo: "¿Estamos gestionando para la sostenibilidad o estamos gestionando para el agotamiento?"*

*Un análisis profundo de los patrones climáticos históricos realizado por Woodard y Curran concluyó que había una "correlación no concluyente de la recuperación del nivel del agua subterránea en la región central durante un período más lluvioso". Aprendimos que, incluso con precipitaciones más favorables, probablemente aún estaríamos excediendo nuestros MTs y experimentando un sobregiro en la cuenca principal y el noroeste, cuando el área de Ventucopa podría esperar mostrar cierta recuperación. Todos los granjeros en la habitación (y el valle) ya sabían esto. De alguna manera, estos datos ayudarán en el contexto del análisis del modelo de trayectoria de planeo que se presentará en noviembre. Se planteó la pregunta si que si esta recarga está produciendo alguna recarga medible en el acuífero más viejo y más profundo que reverdece las granjas de la CMA.*

### **#13c Reporte sobre solicitud de variación para las asignaciones del área de administración central**

*Este ítem ilustró la necesidad de administrar las asignaciones de aguas subterráneas, no por la APN sino por el pozo que está extrayendo el agua, en relación con todas las acres que está regando. La 'Unidad agrícola' debe identificar al propietario con todos sus APN y los pozos que le dan servicio, ya sea dentro o fuera de la CMA. El rápido cronograma del proceso de solicitud de variación ha generado inquietudes, especialmente para las solicitudes que se devolvieron sin entregar. Se consideró que algunas extensiones de tiempo pueden estar justificadas para algunas respuestas tardes.*

**#13e Actualización sobre la implementación de proyectos financiados por subvenciones**

*El miembro del comité Joe Haslett alentó la idea del estudio del canal del río y preguntó por qué no estudiar todo el canal del río Cuyama, no solo cuatro millas. Un estudio fotográfico y LIDAR de calidad realizado por un dron podría ser una de las mejores inversiones en la comprensión de cuencas para identificar cualquier cosa, desde potenciales de recarga hasta hábitats ribereños. Se debe priorizar más pruebas de bombas para determinar si la falla Russell es una barrera para el flujo de agua subterránea.*

**#13i. Calendario para la actualización del modelo del año fiscal 2023-2024**

*Se solicitó que los datos de los piezómetros y las pruebas de bombeo se incluyeran en la Actualización del Modelo. Y se anticipó que el Modelo se actualizará para incluir la información sobre la Unidad agrícola con sus pozos de producción para que el modelo no tenga que asumir que el agua aplicada simplemente sale de debajo del campo que se riega.*

**#13h. Actualización del informe trimestral de las condiciones de las aguas subterráneas de julio de 2022**

*Dejando las peores noticias para el final, este Reporte Trimestral de Aguas Subterráneas muestra que 3 más pozos han caído por debajo de su objetivo medible y cuatro pozos más han caído por debajo de sus umbrales mínimos. Eso ahora es 52% fuera de cumplimiento, si se descuentan los tres pozos que no han tenido recopilación de datos desde que se adoptó el GSP. El desencadenante de resultados no deseados se espera en menos de 8 meses. La GSA no propone ninguna acción de gestión aparte de cambiar las métricas de los criterios de sostenibilidad.*

*Respetuosamente sometido, Brenton Kelly  
Presidente del SAC*

*Traducido al español por spencerbh@basinlogix.com*

## **CONSENT AGENDA**

### **5-8. Consent Agenda**

Chair Yurosek asked if any Directors wanted to move any of the consent items out to discuss in more detail. No request was made and Chair Yurosek asked if there was a motion for consent agenda item nos. 5-8.

#### **MOTION**

Vice Chair Chounet made a motion to approve the consent agenda item nos. 5-8. The motion was seconded by Director Bantilan, a roll call vote was made and passed with 88%.

AYES: Yurosek, Chounet, Albano, Bantilan, Elliot, Klinchuch, Scrivner, Vickery, Wooster

NOES: None

ABSTAIN: None  
 ABSENT: Compton, Anselm

## ACTION ITEMS

### 9. Direction on GSA Well Permit Policy

Executive Director Jim Beck provided background on the GSA Well Permit Policy and the direction provided by the ad hoc. Mr. Beck explained the ad hoc's recommendation for a well permit policy for a modification/replacement of an existing well and the policy for the construction of a new well.

Chair Yurosek commented that having a Standing Committee to review well permit applications would be helpful to improve the efficiency of Board meetings.

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*Director Arne Anselm joined the meeting at 2:13 p.m.*  
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Vice Chair Chounet asked staff if they could provide a definitive answer if the GSP will achieve the GSA's sustainability goal. Mr. Beck replied the GSP is evolutionary, and that question is difficult to answer. Mr. Beck explained this policy is being developed because the Governor's Executive Order (EO) N-7-22 requires GSA determination and there is a balance of trying to get a policy to help us achieve sustainability and comply with the EO.

Director Albano commented the language is confusing and absolute and for modification/replacement of an existing well there should be a change with requiring the same capacity. Director Albano commented he does not agree with appointing a Standing Committee to approve new well permits.

Director Bantilan commented he is in favor of option one.

Director Vickery asked how long we expect the EO to be in place and if this will occur every year. Mr. Beck replied that the emergency proclamation due to the drought is likely to remain in place for some time.

Director Vickery asked if the well capacity is determined when the well was first installed or for a specified time period. Mr. Beck replied the ad hoc did not make a determination on what time period the GSA would require for the well capacity.

Director Vickery commented the GSA needs to streamline the process and is comfortable with having a Standing Committee.

Director Wooster agreed with having a Standing Committee, but once the committee approves the well permit it is absolute, however, if it is denied then the landowner has the opportunity to appeal the decision to the Board.

Alternate Elliot commented she and Director Williams is in favor of option one.

Chair Yurosek commented he is comfortable with a standing committee, as long as there is an appeal process, however for the construction of a replacement well the approval should be absolute.

Mr. Beck explained the goal is to get direction for a policy to prepare and present to the Board at the November 2, 2022, meeting.

Director Wooster made a motion to adopt the policy presented with the exceptions that staff provide direction to define capacity and once the well permit is approved no one can appeal the approval to the GSA, but the motion was not seconded.

#### **MOTION**

Director Albano made a motion to adopt policy for modification/replacement of existing wells where a well must not exceed the maximum historic capacity, a well must be within a half mile of existing well, existing well must be properly abandoned following county procedures, and if staff determination is that a well is a replacement well it is not appealable to the Board but if it is determined not to be a replacement well, then that decision is appealable to the Board. The motion was seconded by Director Vickery, a roll call vote was made and passed with 88%.

AYES: Yurosek, Chounet, Bantilan, Vickery, Albano, Scrivner, Anselm, Elliot, Klinchuch, Wooster  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton

#### **MOTION**

Director Albano made a motion to adopt policy for construction of new wells where a well applicant to hire hydrogeologist firm to ensure "(i) the proposed well would not be inconsistent with the GSA's GSP; and (ii) the proposed well would not decrease the likelihood of achieving a sustainability goal included in that GSA's GSP." The motion was seconded by Director Bantilan, a roll call vote was made and passed with 88%.

AYES: Yurosek, Chounet, Bantilan, Vickery, Albano, Scrivner, Anselm, Elliot, Klinchuch, Wooster  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton

Director Wooster commented the SAC wanted more specific language because it will be extremely difficult for anyone to get approved.

Director Albano replied this is a requirement of the EO, so we are unable to change this language. Director Albano commented he is strongly against having a Standing Committee.

**MOTION**

Director Albano made a motion new well applications to be reviewed by staff and put on a consent agenda for approval by the board. The motion was seconded by Vice Chair Chounet, a roll call vote was made and passed with 75.56%.

AYES: Yurosek, Chounet, Bantilan, Albano, Scrivner, Anselm, Elliot, Klinchuch  
 NOES: Vickery, Wooster  
 ABSTAIN: None  
 ABSENT: Compton

**10. Direction on Administration of Pumping Reductions in the Central Management Area**

Mr. Blakslee reported that the Board provided direction to bring the draft Central Management Area (CMA) policy that was presented at the July 6, 2022 Board meeting back for review at the September 7, 2022, Board meeting. Mr. Blakslee reviewed the draft CMA administration of pumping reduction policy.

Director Wooster asked for an explanation of the policy point “Each parcel carries an allocation, but water extractions are reported at the wellhead” and how this would apply when there are some parcels within the CMA. Mr. Beck explained the parcels inside the CMA would receive a reduction based on the methodology agreed upon in the last Board meeting, however the parcels outside the CMA would not.

Director Vickery asked if staff has considered the scenario where a wellhead is inside the CMA and serves parcels both inside and outside the CMA. Mr. Beck replied staff has identified this issue and it will be addressed later during the presentation.

Mr. Beck explained the Board has the authority to develop management actions to address a well inside the CMA pumping outside the CMA if it impacts the measurable objectives and minimum thresholds.

Chair Yurosek replied that is something that needs to be addressed and eventually this will be applied to the entire basin. Chair Yurosek commented his reluctance to vote on this item due to there being multiple unknown variables.

Director Albano suggested giving landowners the option in the variance process to bring lands inside the CMA.

Mr. Beck reminded the Board staff is trying to maintain the timeline of December 1, 2022, for distributing final allocations as previously presented to the Board.

Director Vickery asked if this would require a rerun of the entire model. Woodard and Curran Project Manager Brian Van Lienden replied staff would not need to rerun the model, but the calculations would need to be redone.

Director Wooster expressed concern for not having accurate data of well locations. Mr. Blakslee clarified the map that was presented at the July 6, 2022, Board meeting had only county reported wells, and inadvertently did not include the user reported data that staff does have.

Director Bantilan suggested all wells inside the CMA should have reduced pumping of five percent regardless of the well pumping to parcels inside or outside the CMA.

Director Vickery agreed with Director Bantilan and added that the boundary should be redrawn to include those lands outside the CMA. Director Albano disagreed with needing to change the CMA boundary, instead landowners should be given the option to include those APN's that are outside the boundary to be inside the CMA.

Mr. Beck summarized the board discussion of instructing staff to develop a policy with the ability to recognize farming units to account for properties where water is pumped within the CMA to serve lands outside the CMA.

Chair Yurosek instructed staff to notice landowners in the CMA regarding the potential delay of final CMA allocations.

Director Vickery commented that the GSA should not track water use per parcel since a landowner can use the entire allocation on one parcel or another.

#### **11. Direction on Basin-Wide Water Management Policies**

Mr. Beck discussed with the Board if there should be a concern with increased water use outside the CMA. Mr. Beck clarified that while there are currently no reductions of pumping outside the CMA, the GSP executive summary indicates there may be a reduction in basin-wide pumping in order to achieve sustainability.

Director Albano asked if there is a difference in estimated water use and modeled pumping. Mr. Beck replied the estimated water use is reported from landowners using crop factors based on ET values and the modeled pumping is based on ET values and DWR's 2018 land use dataset.

Director Wooster commented that the GSA needs to manage the entire basin and not just the CMA. Chair Yurosek agreed that the GSA needs to manage the entire basin and develop a policy to address this.

Mr. Beck informed the Board staff needs direction on whether to address this issue now or include it in the 2025 GSP update.

Director Vickery commented it is important to not wait to address this issue. Director Wooster said the GSA should concentrate on those who irrigate and are causing most of the overdraft. Director Bantilan agreed with Director Vickery that the GSA should not wait until the next update to address this issue. Chair Yurosek, Director Albano, and Vice Chair Chounet all agreed to address this issue now.

Director Bantilan asked what the timeline was to develop this policy. Mr. Beck replied it depends on if the Board wants there to be technical information it will take more time, however if it is solely the development of a policy without using modeling information this could be done more quickly.

Director Vickery suggested staff investigate ways that won't restrict additional pumping beyond what's historically pumped in the basin. Mr. Beck replied this might require an amendment to the GSP.

Director Wooster commented if the Board divided the basin into six pieces that would benefit digesting the information.

Chair Yurosek commented the number one goal for this basin is to have a sustainable yield for the entire basin and the GSA needs to start looking at the entire area. Chair Yurosek continued to explain this should not require an amendment to the GSP, but if it does then that is what needs to be done.

Mr. Beck replied staff will develop strategy options to address increase water use outside the CMA to be reviewed at the November 2, 2022 Board meeting.

## REPORT ITEMS

### 12. Administrative Updates

**a. Report of the Executive Director**

Mr. Blakslee provided an update on Hallmark Group progress and next steps and an overview of the GSA's expenses and actuals-to-budget.

**b. Report of the General Counsel**

Nothing to report.

**c. Update on Public Workshop**

Mr. Blakslee provided an update on the number of attendees at the August 25, 2022, public workshop and the topics that were discussed which are summarized in the Board packet.

### 13. Technical Updates

**a. Update on Groundwater Sustainability Plan Activities**

Mr. Van Lienden provided an update on the accomplishments for July and August.

**b. Update on Adaptive Management Analysis**

Mr. Van Lienden provided an updated on the well survey, water level trends analysis, precipitation trends, groundwater production trends, and groundwater level trends which is included in the Board packet. Staff reminded the Board that the detailed modeling analysis will be presented at the November 2, 2022, Board meeting.

**c. Report on Variance Requests for the Central Management Area Allocations**

Mr. Blakslee reported that eight (8) variance request were received. He noted that the variance request forms will be reviewed by staff and an ad hoc for review with the SAC on October 27, 2022 and the Board on November 2, 2022. Mr. Blakslee reviewed the returned to sender mail from the CMA mailout and explained the feedback from the ad hoc was to extend the deadline for the variance request for those who did not receive the mailout.



The Board provided consensus to extend the deadline of the variance request for the returned to sender CMA notifications for the eight landowners.

**d. Update on Effort to Identify Potential Non-Reporting Pumpers**

Mr. Blakslee provided an update on the effort to identify potential non-reporting pumpers and informed the Board that staff is currently in the QA/QC stage. Mr. Blakslee clarified the information being compared is user-reported irrigated lands from 2021 and DWR's 2019 land use data which is why staff is performing the current QA/QC.

**e. Update on Implementation of Grant-Funded Projects**

Mr. Van Lienden provided an update on being awarded \$7.6 million in DWR SGMA Round 1 grant funds and informed the Board the grant agreement has been signed. Mr. Van Lienden reviewed the tasks that were discussed with an ad hoc committee, which is provided in the Board packet.

**f. Schedule for Fiscal Year 2023-2024 Model Update**

Mr. Van Lienden provided an update on the schedule for the fiscal year 2023-2024 model update and reviewed the data to be included in the next model update, which is provided in the Board packet.

Director Vickery asked if there were any projects dedicated to studying the faults. Mr. Van Lienden replied there are no projects specifically dedicated to studying the faults. Director Vickery commented it is concerning there is no projects to study the faults and there should be more research about the Russell and Santa Barbra Canyon faults and how the water flows between the faults.

Chair Yurosek asked how the model can accurately represent the basin when there is no concrete data of how the water flows between the faults. Mr. Beck replied staff can put together a more detailed evaluation of what additional work can be done to identify fault definition to be presented at the next Board meeting.

Director Albano asked what the purpose is of getting more information about the water flow between the faults and what information the GSA will find. Director Vickery clarified it is important to know if the Santa Barbara Canyon and Russell faults are permeable or semi-permeable to better the data of the model.

Director Wooster suggested looking at the wells near the faults and gathering data from these wells to better understand the faults. Director Albano commented there is also a fault near Ventucopa that should be looked at.

Director Bantilan asked why the previous pump test was only done for three days. Mr. Van Lienden replied that the landowner only allowed staff to use the well for three days.

**g. Update on Monitoring Network Implementation**

Mr. Van Lienden provided an update on the monitoring network implementation and informed the Board the next quarterly groundwater level will be taken in October 2022.

**h. Update on Quarterly Groundwater Conditions Report for July 2022**

Mr. Van Lienden provided an update on the quarterly groundwater conditions report for July 2022.

Director Albano asked what adaptive management actions are in place to address the wells going below their minimum threshold. Mr. Beck replied staff is following the direction from the Board, which is to review those wells with an ad hoc and develop management actions as necessary.

**i. Update on Annual Water Quality Report**

Mr. Van Lienden provided an update on the annual water quality report that was performed at 24 wells in August 2022.

**Closed Session****14. Conference with Legal Counsel – Anticipated Litigation**

Significant exposure to litigation pursuant to Government Code section 54956.9, subdivision (d)(2)

**a. Number of Potential Cases: One**

No reportable action.

**15. Conference with Legal Counsel – Anticipated Litigation**

Significant exposure to litigation pursuant to Government Code section 54956.9, subdivision (d)(4)

**a. Number of Potential Cases: One**

No reportable action.

**Regular Session****16. Report of the Ad Hoc Committee**

Nothing to report.

**17. Directors' Forum**

Director Vickery asked staff to agendize options to study the faults for review at the November 2, 2022, Board meeting.

**18. Public comment for Items Not on the Agenda**

No comments.

**19. Correspondence**

No comments.

**20. Adjourn**

Chair Yurosek adjourned the meeting at 6:38 p.m.

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BOARD OF DIRECTORS OF THE  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair: \_\_\_\_\_

ATTEST:

Secretary: \_\_\_\_\_

DRAFT



TO: Board of Directors  
Agenda Item No. 6

FROM: Taylor Blakslee, Hallmark Group

DATE: November 2, 2022

SUBJECT: Approval of Payment of Bills for August and September 2022

### **Recommended Motion**

Approve payment of the bills for August and September 2022 in the amount of \$310,273.46.

### **Discussion**

Invoices for the months of August and September 2022 are provided as Attachment 1 and summarized below.

<b>Expense</b>	<b>August 2022</b>	<b>September 2022</b>	<b>Totals</b>
<b>Klein – Legal</b>	\$5,074.00	\$15,510.00	\$20,584.00
<b>Hallmark – Administration</b>	\$35,811.13	\$25,025.52	\$60,836.65
<b>P&amp;P – Quarterly Groundwater level measurements</b>	*\$29,346.30	\$4,878.64	\$34,224.94
<b>USGS – Monitoring Network</b>	\$19,725.00	\$19,725.00	\$39,450.00
<b>Daniells Philips Vaughn &amp; Bock – Audit</b>	\$0.00	\$2,000.00	\$2,000.00
<b>W&amp;C – Technical</b>	\$76,970.13	\$70,724.83	\$147,694.96
<b>Other Direct Costs</b>	\$4,847.52	\$635.39	\$5,482.91
<b>TOTAL</b>			<b>\$310,273.46</b>

\* Includes July invoice received in August 2022.



**Remit to:**  
 PO Box 55008  
 Boston, MA 02205-5008

T 800.426.4262  
 T 207.774.2112  
 F 207.774.6635

**INVOICE** 21

TD BANK

**Electronic Transfer:**

⑆ 211274450 ⑆ 2427662596 ⑆\*

Jim Beck  
 Executive Director  
 Cuyama Basin Groundwater Sustainability  
 Agency  
 c/o Hallmark Group  
 1901 Royal Oaks Drive, Suite 200  
 Sacramento, CA 95815

September 19, 2022

Project No: 0011078.01

Invoice No: 209129

Project 0011078.01 CUYAMA GSP

**Professional Services for the period ending August 26, 2022**

Phase 045 FY 22/23 STAKEHOLDER/BOARD AND OUTREACH ENGAGEMENT SUPPORT

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Graphics Manager			
Fox, Adam	1.00	140.00	140.00
Project Manager 2			
Van Lienden, Brian	25.50	295.00	7,522.50
Project Planner 1			
Eggleton, Charles	28.00	245.00	6,860.00
Senior Technical Manager			
Sturn, Richard	11.00	315.00	3,465.00
Totals	65.50		17,987.50
<b>Labor Total</b>			<b>17,987.50</b>

**Consultant**

Sub - Consultant Miscellaneous			
8/26/2022 THE CATALYST GROUP	Catalyst Inv# 690		913.75
<b>Consultant Total</b>		<b>1.1 times</b>	<b>913.75</b>
			<b>1,005.13</b>
		<b>Total this Phase</b>	<b>\$18,992.63</b>

Phase 046 FY 22/23 GRANT ADMINISTRATION

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Project	0011078.01	CUYAMA GSP	Invoice	209129
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**Professional Personnel**

	Hours	Rate	Amount	
Project Manager 2				
Van Lienden, Brian	5.00	295.00	1,475.00	
Project Planner 1				
Eggleton, Charles	6.00	245.00	1,470.00	
Totals	11.00		2,945.00	
<b>Labor Total</b>				<b>2,945.00</b>
			<b>Total this Phase</b>	<b>\$2,945.00</b>

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Phase	047	FY 22/23 ONGOING MONITORIING AND DATA MANAGEMENT SUPPORT
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**Professional Personnel**

	Hours	Rate	Amount	
Planner 2				
Meyer, Nolan	6.00	205.00	1,230.00	
Project Manager 2				
Van Lienden, Brian	6.50	295.00	1,917.50	
Totals	12.50		3,147.50	
<b>Labor Total</b>				<b>3,147.50</b>
			<b>Total this Phase</b>	<b>\$3,147.50</b>

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Phase	048	FY 22/23 MONITORING NETWORK ENHANCEMENTS
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**Professional Personnel**

	Hours	Rate	Amount	
Planner 2				
Meyer, Nolan	4.25	205.00	871.25	
Totals	4.25		871.25	
<b>Labor Total</b>				<b>871.25</b>
			<b>Total this Phase</b>	<b>\$871.25</b>

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Phase	049	FY 22/23 PROJECT & MANAGEMENT ACTION IMPLEMENTATION
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Project	0011078.01	CUYAMA GSP	Invoice	209129
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**Professional Personnel**

	Hours	Rate	Amount	
Project Manager 2				
Van Lienden, Brian	2.50	295.00	737.50	
Senior Project Assistant				
Hughart, Desiree	2.25	140.00	315.00	
Totals	4.75		1,052.50	
<b>Labor Total</b>				<b>1,052.50</b>
				<b>Total this Phase</b>
				<b>\$1,052.50</b>

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Phase	050	FY 22/23 GSP IMPLEMENTATION, OUTREACH, AND COMPLIANCE ACTIVITIES
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**Professional Personnel**

	Hours	Rate	Amount	
Planner 2				
Meyer, Nolan	11.50	205.00	2,357.50	
Project Manager 2				
Van Lienden, Brian	5.50	295.00	1,622.50	
Project Planner 1				
Eggleton, Charles	65.50	245.00	16,047.50	
Senior Technical Manager				
Sturn, Richard	12.00	315.00	3,780.00	
Totals	94.50		23,807.50	
<b>Labor Total</b>				<b>23,807.50</b>
				<b>Total this Phase</b>
				<b>\$23,807.50</b>

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Phase	051	FY 22/23 IMPROVE UNDERSTANDING OF BASIN WATER USE
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**Professional Personnel**

	Hours	Rate	Amount
Engineer 3			
Roy, Zachary	38.50	235.00	9,047.50
Planner 2			
Meyer, Nolan	10.25	205.00	2,101.25
Project Engineer 1			
Ceyhan, Mahmut	33.00	245.00	8,085.00
Roy, Zachary	18.50	245.00	4,532.50

Project	0011078.01	CUYAMA GSP			Invoice	209129
	Project Manager 2					
	Van Lienden, Brian		2.50	295.00	737.50	
	Senior Technical Practice Leader					
	Taghavi, Ali		5.00	330.00	1,650.00	
	Totals		107.75		26,153.75	
	<b>Labor Total</b>					<b>26,153.75</b>
					<b>Total this Phase</b>	<b>\$26,153.75</b>
					<b>Total this Invoice</b>	<b>\$76,970.13</b>

	Current Fee	Previous Fee	Total
<b>Project Summary</b>	<b>76,970.13</b>	<b>3,747,169.52</b>	<b>3,824,139.65</b>

Approved by:   
 Brian Van Lienden  
 Project Manager  
 Woodard & Curran





## Progress Report

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### Cuyama Basin Groundwater Sustainability Plan Development

**Subject:** August 2022 Progress Report

Jim Beck, Executive Director,

**Prepared for:** Cuyama Basin Groundwater Sustainability Agency (CBGSA)

**Prepared by:** Brian Van Lienden, Woodard & Curran

**Date:** September 15, 2022

**Project No.:** 0011078.01

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This progress report summarizes the work performed and project status for the period of July 29, 2022 through August 26, 2022 on the Cuyama Basin Groundwater Sustainability Plan Development project. The work associated with this invoice was performed in accordance with our Consulting Services Agreement dated December 6, 2017, and with Task Order 10, issued by the CBGSA on May 4, 2022. Work previously authorized on Task Orders 1 through 9 are complete.

The progress report contains the following sections:

1. Work Performed
2. Budget Status
3. Schedule Status
4. Outstanding Issues to be Coordinated

## 1 Work Performed

A summary of work performed on the project during the current reporting period is provided in Tables 1. Table 1 shows work under Task Order 10.

Table 1: Summary of Task/Deliverables Status for Task Order 10

Task	Work Completed During the Reporting Period	Percent Complete	Work Scheduled for Next Period
<b>Task 45: FY23 Stakeholder/Board and Outreach Engagement Support</b>	<ul style="list-style-type: none"> <li>• Prepare for and participate in ad-hoc calls</li> <li>• Prepare materials for Board meeting and packet</li> <li>• Attended Board meeting</li> <li>• Updates to GSA website</li> <li>• Prepared for and attended Stakeholder workshop</li> </ul>	22%	<ul style="list-style-type: none"> <li>• Participation in future ad-hoc calls</li> <li>• Preparation for and participation in future CBGSA Board and SAC meetings</li> </ul>
<b>Task 46: FY23 Grant Administration</b>	<ul style="list-style-type: none"> <li>• Review grant agreement and prepare invoices</li> </ul>	6%	<ul style="list-style-type: none"> <li>• Further grant administration and invoicing</li> </ul>
<b>Task 47: FY23 Ongoing Monitoring and Data Management Support</b>	<ul style="list-style-type: none"> <li>• Monitoring network implementation</li> <li>• Data analysis</li> </ul>	11%	<ul style="list-style-type: none"> <li>• Continued implementation support</li> </ul>
<b>Task 48: FY23 Monitoring Network Enhancements</b>	<ul style="list-style-type: none"> <li>• GIS analysis for piezometers, monitoring wells, and CIMIS/weather station locations</li> <li>• Draft recommendations for monitoring network enhancements</li> <li>• Regular groundwater reporting</li> </ul>	3%	<ul style="list-style-type: none"> <li>• Continued data analysis and recommendation development for monitoring network enhancements</li> </ul>
<b>Task 49: FY23 Projects &amp; Management Action Implementation</b>	<ul style="list-style-type: none"> <li>• Support for parcel pumping estimates</li> <li>• Coordination and analysis to support projects and management actions</li> </ul>	13%	<ul style="list-style-type: none"> <li>• Continued data analysis, drafting, and support of implementation of projects and management actions</li> </ul>
<b>Task 50: FY23 GSP Implementation, Outreach, &amp; Compliance Activities</b>	<ul style="list-style-type: none"> <li>• Preparation for public workshop</li> <li>• Preparation and analysis for pumping allocation support</li> <li>• Unknown pumpers analysis</li> </ul>	20%	<ul style="list-style-type: none"> <li>• PMA implementation support including analysis and material preparation</li> </ul>

Task	Work Completed During the Reporting Period	Percent Complete	Work Scheduled for Next Period
<b>Task 51: FY23 Improve Understanding of Basin Water Use</b>	<ul style="list-style-type: none"> <li>Glide path analysis</li> <li>GIS and data analysis to support implementation of field equipment</li> </ul>	19%	<ul style="list-style-type: none"> <li>Continued analysis of data for understanding basin water use</li> </ul>
<b>Task 52: Support for DWR Technical Support Services</b>	<ul style="list-style-type: none"> <li>None during billing period</li> </ul>	0%	<ul style="list-style-type: none"> <li>Support DWR TSS activities as needed</li> </ul>
<b>Task 53: Preparation of Grant Proposal</b>	<ul style="list-style-type: none"> <li>None during billing period</li> </ul>	0%	<ul style="list-style-type: none"> <li>Support for grant proposals as requested by CBGSA Board</li> </ul>

## 2 Budget Status

Table 2 shows the percent spent for each task under Task Order 10 as of August 26, 2022. 11% of the available Task Order 10 budget has been expended (154,469.18 out of \$1,423,667).

**Table 2: Budget Status for Task Order 10**

Task	Total Budget	Spent Previously	Spent this Period	Total Spent to Date	Budget Remaining	% Spent to Date
45	\$145,650.00	\$13,389.05	\$18,992.63	\$32,381.68	\$113,268.33	22%
46	\$100,060.00	\$2,825.00	\$2,945.00	\$5,770.00	\$94,290.00	6%
47	\$44,810.00	\$1,770.00	\$3,147.50	\$4,917.50	\$39,892.50	11%
48	\$460,160.00	\$12,018.75	\$871.25	\$12,890.00	\$447,270.00	3%
49	\$305,950.00	\$37,301.25	\$1,052.50	\$38,353.75	\$267,596.25	13%
50	\$150,050.00	\$6,520.00	\$23,807.50	\$30,327.50	\$119,722.50	20%
51	\$154,992.00	\$3,675.00	\$26,153.75	\$29,828.75	\$125,163.25	19%
52	\$20,030.00	\$0.00	\$0.00	\$0.00	\$20,030.00	0%
53	\$41,965.00	\$0.00	\$0.00	\$0.00	\$41,965.00	0%
<b>Total</b>	<b>\$1,423,667.00</b>	<b>\$77,499.05</b>	<b>\$76,970.13</b>	<b>\$154,469.18</b>	<b>\$1,269,197.83</b>	<b>11%</b>

## 3 Schedule Status

The project is on schedule. Work authorized under Task Orders 1 through 9 is complete.

## 4 Outstanding Issues to be Coordinated

None



INVOICE

To: Cuyama Basin GSA  
 Attn: Jim Beck  
 4900 California Avenue, Ste B  
 Bakersfield, CA 93309

Please Remit To: Hallmark Group  
 500 Capitol Mall, Ste 2350  
 Sacramento, CA 95814  
 P: (916) 923-1500

Invoice No.: 2022-CBGS-08  
 Task Order No.: CB-HG-008  
 Agreement No.: 201709-CB-001  
 Date: August 31, 2022

For professional services rendered for the month of August 2022:

Task Order	Sub Task	Task Description	Billing Classification	Hours	Rate	Amount	
CB-HG-008	1	Board of Directors Meetings	Executive Director - J. Beck	13.25	\$ 350.00	\$ 4,637.50	
			Project Manager - T. Blakslee	14.00	\$ 175.00	\$ 2,450.00	
			Project Coordinator - J. Montoya	22.50	\$ 125.00	\$ 2,812.50	
				<b>Total Sub Task 1 Labor</b>		<b>\$ 9,900.00</b>	
CB-HG-008	2	Consultant Management and GSP Implementation	Executive Director - J. Beck	5.75	\$ 350.00	\$ 2,012.50	
			Project Manager - T. Blakslee	42.25	\$ 175.00	\$ 7,393.75	
			Project Coordinator - J. Montoya	0.75	\$ 125.00	\$ 93.75	
				<b>Total Sub Task 2 Labor</b>		<b>\$ 9,500.00</b>	
CB-HG-008	3	Financial Information Coordination	Project Controls - J. Harris	26.50	\$ 200.00	\$ 5,300.00	
			Project Manager - T. Blakslee	1.00	\$ 175.00	\$ 175.00	
			Project Coordinator - J. Montoya	4.00	\$ 125.00	\$ 500.00	
				<b>Total Sub Task 3 Labor</b>		<b>\$ 5,975.00</b>	
CB-HG-008	4	CBGSA Outreach	Project Manager - T. Blakslee	25.75	\$ 175.00	\$ 4,506.25	
			Project Coordinator - J. Montoya	15.50	\$ 125.00	\$ 1,937.50	
				<b>Total Sub Task 4 Labor</b>		<b>\$ 6,443.75</b>	
CB-HG-008	5	Groundwater Extraction Fee Funding	Project Controls - J. Harris	1.75	\$ 200.00	\$ 350.00	
			Project Manager - T. Blakslee	4.25	\$ 175.00	\$ 743.75	
			Project Coordinator - J. Montoya	2.00	\$ 125.00	\$ 250.00	
				<b>Total Sub Task 5 Labor</b>		<b>\$ 1,343.75</b>	
CB-HG-008	6	Support for CBGSA Response to DWR and Public Comments	Project Manager - T. Blakslee	0.00	\$ 175.00	\$ -	
				<b>Total Sub Task 6 Labor</b>		<b>\$ -</b>	
CB-HG-008	7	Central Management Area Policy	Project Manager - T. Blakslee	12.50	\$ 175.00	\$ 2,187.50	
				<b>Total Sub Task 7 Labor</b>		<b>\$ 2,187.50</b>	
CB-HG-008	8	Adjudication Support	Project Manager - T. Blakslee	1.25	\$ 175.00	\$ 218.75	
			Project Coordinator - J. Montoya	0.00	\$ 125.00	\$ -	
				<b>Total Sub Task 8 Labor</b>		<b>\$ 218.75</b>	
						<b>Total Labor</b>	<b>\$ 35,568.75</b>
Travel and Other Direct Costs:		ParcelQuest - Shape files				\$ 2,537.50	
		Hall Letter Shop - Well Owner Surveys				\$ 1,389.05	
		Accountments for Public Workshop Participants (reimbursed by Grimmway)				\$ 218.97	
		Postcard Mailout Noticing for Public Workshop				\$ 554.40	
		Poster Board Signs for Public Workshop				\$ 131.65	
		Name Placard for CBGSA Director				\$ 15.95	
						<b>SubTotal Travel and Other Direct Costs</b>	<b>\$ 4,847.52</b>
ODC Mark Up					5%	\$ 242.38	
						<b>Total Travel and Other Direct Costs</b>	<b>\$ 5,089.90</b>
						<b>TOTAL AMOUNT DUE THIS INVOICE</b>	<b>\$ 40,658.65</b>

MAXIMUM CONTRACT VALUE AND PROGRESS BILLING						
Task Order	Original Totals	Amendment(s)	Total Committed	Previously Billed	Current Billing	Remaining Balance
CB-HG-008	\$ 284,306.00		\$ 284,306.00	\$ 21,975.00	\$ 35,568.75	\$ 226,762.25
Travel and ODC	\$ 5,694.00		\$ 5,694.00	\$ 1,281.95	\$ 5,089.90	\$ (677.85)
<b>Total</b>	<b>\$ 290,000.00</b>	<b>\$ -</b>	<b>\$ 290,000.00</b>	<b>\$ 23,256.95</b>	<b>\$ 40,658.65</b>	<b>\$ 226,084.40</b>

# CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

## PROGRESS REPORT FOR TASK ORDER CB-HG-007

<b>Client Name:</b>	Cuyama Basin Groundwater Sustainability Agency	<b>Agreement Number:</b>	201709-CB-001
<b>Company Name:</b>	HGCPM, Inc. DBA The Hallmark Group	<b>Address:</b>	500 Capitol Mall, Suite 2350 Sacramento, CA 95814
<b>Task Order Number:</b>	CB-HG-007	<b>Report Period:</b>	August 1-31, 2022
<b>Progress Report Number:</b>	42	<b>Project Manager:</b>	Jim Beck
<b>Invoice Number:</b>	2022-CBGSA-08	<b>Invoice Date:</b>	August 31, 2022

## SUMMARY OF WORK PERFORMED

### Task 1: Board of Directors and Advisory Committee Meetings

- Prepared and reviewed Standing Advisory Committee (SAC) agenda with SAC Chair.
- Prepared and reviewed Board agenda with Board Chair.
- Prepared and facilitated ad hoc committee on Basin-Wide Water Management on August 18, 2022.
- Prepared and facilitated ad hoc committee on New Well Permit Ad hoc on August 22, 2022.
- Prepared and facilitated a Public Workshop on August 25, 2022.
- Prepared and facilitated ad hoc committee on New Well Permit Ad hoc on August 29, 2022
- Prepared Management Area allocation worksheet for mailout.
- Created presentation for public workshop.
- Correspondence with directors and alternates regarding Form 700s.
- Prepared and sent response to Public Records Acts request.
- Correspondence with landowner representative regarding payment of groundwater extraction invoice.
- Drafted California Department of Water Resources (DWR) survey for grant information.
- Prepared and distributed SAC packet to stakeholders, SAC, and the Board.
- Correspondence with landowners regarding quality assurance/quality check of potentially unreported water users.
- Prepared list and map of undeliverable mail for Central Management Area (CMA) mailout.
- Internal staff review of variance request forms.
- Drafted Board minutes for Board meeting on September 7, 2022.
- Drafted SAC minutes for SAC meeting on September 1, 2022.

### Task 2: Consultant Management and GSP Implementation

- Reviewed variance request with legal counsel Joe Hughes.
- Correspondence with Provost and Pritchard regarding water quality/levels for Cuyama.
- Updated parcel list for known pumpers.
- Correspondence with Ben Glass regarding stream gauge agreement.
- Coordinated monitoring network well information with Provost & Pritchard.

- Correspondence with landowners on meter issues.
- Developed well information survey.
- Correspondence with landowners on piezometer locations.
- Reviewed potential DWR TSS wells at Bluesky site.

### **Task 3: Financial Information Coordination**

- Year-end close and audit preparation.
- Gathered and reported on data for Local Agency Formation Commission (LAFCO) annual survey.
- Entered fiscal year 2022-2023 budget in general ledger.
- Closed June and July financial periods.
- Prepared invoice for Grimmway.
- Correspondence with auditors.
- Correspondence with Hall Letter Shop regarding paying invoice.
- Completed July progress report.
- Billing, accounting, and administration.
- Reviewed and processed P&P invoice.

### **Task 4: Cuyama Basin GSA Outreach**

- Prepared and facilitated mailing of CMA allocation information.
- Prepared and facilitated mailing of postcard to stakeholders regarding public workshop.
- Correspondence with Kathleen March.
- Coordinated poster boards for public workshop.
- Correspondence with landowners regarding variance request forms.
- Correspondence with landowners regarding adjudication.
- Mailed out well information survey.
- Correspondence with landowner regarding unreported water use.

### **Task 5: Groundwater Extraction Fee Funding Process and Administration**

- Processed groundwater extraction payments.
- Prepared landowner invoice for groundwater extraction fee.

### **Task 6: Support for CBGSA Response to DWR and Public Comments**

- Correspondence with stakeholder regarding DWR public comment period.

### **Task 7: Management Area Policy**

- Correspondence with Tristan Zannon regarding CMA policies.
- Coordinated with Woodard and Curran consultant Micah Eggleton regarding CMA map edits.
- Correspondence with Santa Barbara County Water Agency Matt Young on landowner CMA questions.
- Correspondence with landowner regarding request for modeled water use in valley footprint.

### **Task 8: Adjudication Support**

- Correspondence with landowners regarding adjudication inquiries.

## **DELIVERABLES AND COMPLETED TASKS**

- Facilitated ad hoc committee on Basin-Wide Water Management on August 18, 2022.
- Facilitated ad hoc committee on New Well Permit Ad hoc on August 22, 2022.
- Facilitated the Public Workshop on August 25, 2022.
- Facilitated ad hoc committee on New Well Permit Ad hoc on August 29, 2022

#### PLANNED OBJECTIVES FOR NEXT REPORTING PERIOD

- Finalize Central Management Area policies.
- Review variance requests and develop recommendations for Board direction.

#### SIGNIFICANT ISSUES OR CHALLENGES (IF ANY) AND POTENTIAL RESOLUTIONS

- N/A

**INVOICE**

PRINTED: 9/9/2022



PARCELQUEST

193 Blue Ravine Road, Suite 120  
Folsom, California 95630**Bill To:**Taylor  
CBGSA  
4900 California  
Bakersfield, CA 93309  
tblakslee@hgcpm.com  
Blakslee

<b>Payment Due Date</b>	8/14/2022	<b>Invoice No.</b>	23584	<b>Customer ID</b>	9043
<b>Net/Payment Terms</b>	30	<b>PO No.</b>			
<b>Invoice Date</b>	7/15/2022				

ID	Service/Region	Freq/Group	Qty	Yrs	Discount	Line Total
KERG	Kern County - GIS	Individual	1	1	0%	\$625.00
SLOG	San Luis Obispo County - GIS	Individual	1	1	0%	\$625.00
SBXG	Santa Barbara County - GIS	Individual	1	1	0%	\$625.00
VENG	Ventura County - GIS	Individual	1	1	0%	\$625.00

**INVOICE NOTES:**

In accordance with Clipping License Agreement, dated 07/14/2022.

Four Counties: Kern, San Luis Obispo, Santa Barbara, Ventura GIS shape files with Ownership, Sales, and Characteristics (OSC) data.

See notation on the bottom of invoice, a 1.5 % per month  
Late Interest Fee added:  
Aug Fee: \$37.50, \$2,537.50

<b>Subtotal</b>	<b>\$2,500.00</b>
<b>Interest</b>	<b>\$37.50</b>
<b>Sales Tax</b>	<b>\$0.00</b>
<b>Order Total</b>	<b>\$2,537.50</b>
<b>Total Payments</b>	<b>\$0.00</b>
<b>Total Due</b>	<b>\$2,537.50</b>




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# THANK YOU

for subscribing to ParcelQuest.

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## QUESTIONS? CONTACT US.

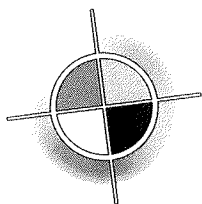
 **phone** (888) 217-8999

 **email** [support@parcelquest.com](mailto:support@parcelquest.com)

## TERMS & CONDITIONS

**Outstanding balances not paid by the due date are subject to a 1.50% interest penalty per month.**

INVOICE



# HALL Letter Shop, Inc. <sup>34</sup>



## PRINTING & MAILING CENTER

5200 Rosedale Highway, Bakersfield, CA 93308  
 (661) 327-3228 • Fax (661) 327-5140

DATE 9-13-22

SOLD TO:

Hallmark Group CPM  
 4905 California Ave Tower B Ste 210  
 93309

CREDIT CARD	CASH	CHECK	P.O. NUMBER	JOB NUMBER
<input type="checkbox"/>  <input type="checkbox"/> 				H9060

705 Well cover Letter	}	399.50
705 Survey Sheets		
#10 Reg Ep		125.-
		<hr/> 524.50
	TX	38.03
		<hr/> 562.53
mail prep		570.00
Postage		256.52
		<hr/> 1389.05
TOTAL		\$ 1389.05

All work done by Hall Letter Shop subject to published terms and conditions.

Drivers Lic. or ID# \_\_\_\_\_

Card Holders Name \_\_\_\_\_

Salesperson \_\_\_\_\_

*Thank you for this order!*

Bakersfield #688

2880 Highway 99  
Bakersfield CA 93308

36 Membr

E	20489 SANDWCHPLTTR	32.99
E	20489 SANDWCHPLTTR	32.99
E	20489 SANDWCHPLTTR	32.99
E	20489 SANDWCHPLTTR	32.99

\*\*\*\*\*Bottom of Basket\*\*\*\*\*

\*\*\*\*\*BOB Count 0\*\*\*\*\*

E	29598 VEG TRAY	10.99
E	29598 VEG TRAY	10.99
E	50683 FRUIT TRAY	10.99
E	50683 FRUIT TRAY	10.99
	1585373 KS NAPKIN	10.99 A
	127509 SOLO FORK	11.99 A
	1668599 8 5" PLATE	16.79 A

XXXXXXXXXXXX1255

AID: 9000000031010

Seq#: 10240 App#: 0340

Visa Resp: APPROVED

Tran #: 223700010240 ....

APPROVED - Purchase

AMOUNT: \$218.97

08/25/2022 14:21 688 10 180 35

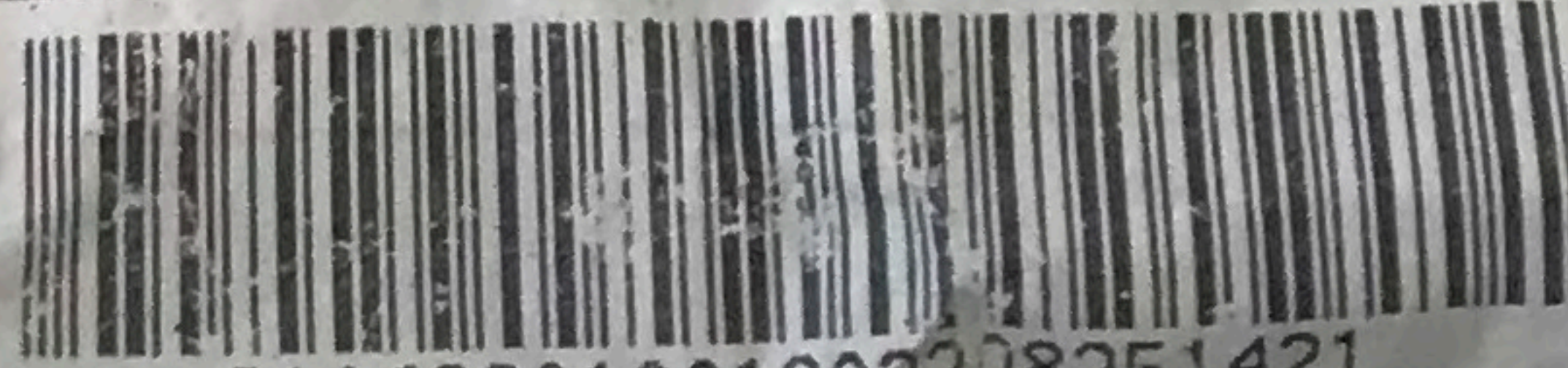
Visa	218.97
CHANGE	0.00

A 8.25% TAX 3.28

TOTAL TAX 3.28

TOTAL NUMBER OF ITEMS SOLD = 11

08/25/2022 14:21 688 10 180 35



21068801001802208251421

#35 Name: ELISA L

Please come Again

Whs: 688 Trm:10 Trn:180 OP:35

Items Sold: 11

08/25/2022

# HALL Letter Shop, Inc.

## PRINTING & MAILING CENTER

5200 Rosedale Highway, Bakersfield, CA 93308  
(661) 327-3228 • Fax (661) 327-5140

DATE 8-11-22



SOLD TO:

Hallmark Group CPM  
4900 California Ave  
Tower B Ste 210  
93309

Postcard mailout for CBGSA - Notification Public Workshop  
to be held 08/25/2022.

HALL LETTER SHOP  
5200 ROSEDALE HWY  
BAKERSFIELD, CA 93308  
(661) 327-3228  
HEADER 61

Bank ID: 1402  
Merchant ID: 9780  
Term ID: 001

CREDIT CARD	CASH	CHECK	P.O. NUMBER	JOB NUMBER
<input checked="" type="checkbox"/>  <input type="checkbox"/> 				4 8039

Phone Order

XXXXXXXXXXXX1255  
VISA

Entry Method: Manual

Total: \$ 554.40

700 Post Cards	164.25
	TX 11.91
	<hr/> 176.16

mail prep for 688 pcs	122.12
Postage	256.52

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\$ 554.40

Paid  
VISA  
554.40  
8-12-22  
Klg

08/12/22 10:00:36  
Inv #: 000003 Appr Code: 00435G  
Apprvd: Online Batch#: 224001  
AVS Code: ZIP MATCH Z  
CVV2 Code: MATCH M  
Retrieval Ref. #: 90100001

Customer Copy

FOOTER 41  
ENCRYPTED TRANSACTION

All work done by Hall Letter Shop subject to published terms and conditions.  
Drivers Lic. or ID# \_\_\_\_\_  
Card Holders Name \_\_\_\_\_  
Salesperson \_\_\_\_\_

Thank you for this order!

INVOICE



# HALL Letter Shop, Inc.

PRINTING & MAILING CENTER



5200 Rosedale Highway, Bakersfield, CA 93308  
(661) 327-3228 • Fax (661) 327-5140

DATE 8/22/22

SOLD TO:

Hallmark Group OPM  
4900 California Ave  
Tower B Ste 210  
93309

Poster Boards for CBGSA Public Workshop on 08/25/22

CREDIT CARD	CASH	CHECK	P.O. NUMBER	JOB NUMBER
<input type="checkbox"/>  <input type="checkbox"/> 				H 8099

2 36" x 24" FoamCore  
Signs

122.75

8.90

TX  

---

\$131.65

Paid \$131.65  
8-23-22  
Becca  
VW

HALL LETTER SHOP  
5200 ROSEDALE HWY  
BAKERSFIELD, CA 93308  
(661) 327-3228  
HEADER 61

Bank ID: 1402  
Merchant ID: 9780  
Term ID: 001

Sale

XXXXXXXXXXXX1255

VISA

Entry Method: Chip

Total: \$

131.65

08/23/22

14:50:13

Inv #: 000005

Appr Code: 02434G

Apprvd: Online

Batch#: 235001

Retrieval Ref. #: 50100005

CAPITAL ONE VISA  
AID: A0000000031010  
TSI: E800  
IVR: 000000000

Customer Copy

All work done by Hall Letter Shop subject to published terms and conditions.

Drivers Lic. or ID# \_\_\_\_\_

Card Holders Name \_\_\_\_\_

Salesperson \_\_\_\_\_

Thank you for this order!

FOOTER 41

ENCRYPTED TRANSACTION

**From:** [Joshua Montoya](#)  
**To:** [Jacqueline Harris](#)  
**Cc:** [Taylor Blakslee](#)  
**Subject:** FW: \*Your order is in processing\*  
**Date:** Wednesday, August 24, 2022 10:27:56 AM

---

Jacqueline,

Below is a receipt for the purchase of a name tag for Director Arne Anselm for future board meetings. This is billable to Cuyama.

Thank you,  
 Joshua Montoya  
 Project Coordinator  
 (661) 316-9340



Persistence | Proficiency | Performance

Corporate (916) 923-1500  
[www.hgcpm.com](http://www.hgcpm.com)

Confidentiality Note: The information contained in this email and document(s) attached are for the exclusive use of the addressee and may contain confidential, privileged and non-disclosable information. If the recipient of this email is not the addressee, such recipient is strictly prohibited from reading, photocopying, distributing or otherwise using this email or its contents in any way.

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**From:** Naag Tag <naagtag@naagtag.com>  
**Sent:** Wednesday, August 24, 2022 10:23 AM  
**To:** Joshua Montoya <jmontoya@hgcpm.com>  
**Subject:** \*Your order is in processing\*

Thank you for the Order on Naagtag

Hi Taylor,

we've received your order #336375, and it is now being processed:

**[Order #336375] (08/24/2022)**

Product	Quantity	Price
---------	----------	-------

Standard Processing	1	\$0.00
<p>Name Plates - Engraved Text</p> <ul style="list-style-type: none"> <li>• <b>Size (Inches):</b> 2 x 10</li> <li>• <b>Plastic Color (BACKGROUND COLOR / engraving color):</b> WHITE / blue</li> <li>• <b>Select Edge Type:</b> Beveled Edges (square corners)</li> <li>• <b>Backing:</b> No Backing</li> <li>• <b>Select Font:</b> Choose a Different Font</li> <li>• <b>Please Specify Font:</b> Calibri (Body)</li> <li>• <b>Enter Names/Titles Below as Follows (text will be centered)::</b> Arne Anselm Cuyama Basin Water District</li> <li>• <b>Special Instructions (additional charges may apply):</b> Please make font size for "Arne Anselm" 72 and the font size for "Cuyama Basin Water District" should be 48</li> <li>• <b>PLEASE REMEMBER TO INPUT THE CORRECT QUANTITY:</b> Quantity Field Below ↓</li> </ul>	1	\$6.95
<b>Subtotal:</b>		\$6.95
<b>Shipping:</b>		\$9.00 via USPS Priority Mail (2-3)

	business days)
<b>Tax:</b>	\$0.00
<b>Payment method:</b>	Credit Card (SecureSubmit)
<b>Total:</b>	\$15.95

**Billing address****Shipping address**

<i>Taylor Blakslee</i> 4900 California Avenue Tower B, Second Floor Bakersfield, CA 93309 (661) 316-9340 <a href="mailto:jmontoya@hgcpm.com">jmontoya@hgcpm.com</a>	<i>Taylor Blakslee</i> 4900 California Avenue Tower B, Second Floor Bakersfield, CA 93309
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Thanks for using naagtag.com!



August 31, 2022

CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
C/O HALLMARK GROUP  
\*\*\*\*\*EMAIL INVOICES\*\*\*\*\*

Invoice No. 1199063  
Client No. 22930  
Matter No. 001  
Billing Attorney: JDH

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### INVOICE SUMMARY

For Professional Services Rendered for the Period Ending: August 19, 2022.

RE: CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
GENERAL BUSINESS

Professional Services	\$ 5,074.00
Costs Advanced	<u>\$ .00</u>
<b>TOTAL THIS INVOICE</b>	<b>\$ 5,074.00</b>
Prior Balance	<u>\$ 18,759.40</u>
<b>TOTAL BALANCE DUE</b>	<b><u>\$ 23,833.40</u></b>

Invoice No. 1199063

August 31, 2022

**PROFESSIONAL SERVICES**

<b>Date</b>	<b>Init</b>	<b>Description</b>	<b>Hours</b>	<b>Amount</b>
7/21/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING CUYAMA PROJECTS.	.20	46.00
7/22/22	AND	REVIEWED AFFIDAVIT REGARDING LANDOWNER CHECK FRAUD; TELEPHONE CALL WITH J. MONTOYA REGARDING SAME.	.30	69.00
7/22/22	AND	REVIEWED REQUIREMENTS TO SUBMIT DELINQUENT FEES TO COUNTY OF SANTA BARBARA; EXCHANGED E-MAILS WITH T. BLAKSLEE AND J. MONTOYA REGARDING SAME.	.30	69.00
7/22/22	RJW	PREPARED FOR AND ATTENDED CASE MANAGEMENT CONFERENCE.	3.50	1,120.00
7/22/22	RJW	REVIEWED CASE MANAGEMENT ORDER AND MINUTE ORDER.	.40	128.00
7/26/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING OUTSTANDING ACTION ITEMS; REVIEWED AND REVISED CENTRAL MANAGEMENT AREA ALLOCATION DOCUMENTS; EMAILED T. BLAKSLEE REGARDING SAME.	1.00	230.00
7/27/22	AND	REVIEWED E-MAIL EXCHANGE BETWEEN T. BLAKSLEE AND LANDOWNER REGARDING GROUNDWATER EXTRACTION FEES; REVIEWED SPREADSHEET REGARDING SAME.	.20	46.00
7/28/22	AND	EXCHANGED EMAILS WITH J. MONTOYA REGARDING ADDING DELINQUENT FEES ON TAX ROLL; REVIEWED SANTA BARBARA COUNTY PROCESS AND PROCEDURES.	.30	69.00
8/09/22	AND	RECEIVED AND REVIEWED E-MAIL FROM T. BLAKSLEE REGARDING LANDOWNER ATTORNEY; TELEPHONE CALL WITH T. BLAKSLEE REGARDING OUTSTANDING BOARD ACTIONS.	.80	184.00
8/11/22	AND	RECEIVED AND REVIEWED E-MAIL FROM B. DEBRANCH REGARDING REQUEST FOR DATA; REVIEWED LIST OF REQUESTED DATA; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	.20	46.00
8/15/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING REQUEST FOR DATA AND UPCOMING AD HOC MEETINGS.	.20	46.00
8/15/22	AND	REVIEWED AND REVISED BOARD MEETING AGENDA, AD HOC MEETING AGENDA, AND PUBLIC WORKSHOP AGENDA; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	.40	92.00
8/15/22	AND	DRAFTED POWERPOINT PRESENTATION FOR AD HOC MEETING; RESEARCHED SGMA REGARDING GSA AUTHORITIES; RESEARCHED SURROUNDING GSAS RULES AND REGULATIONS; RESEARCHED WATER MARKETS.	2.00	460.00
8/16/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING PUBLIC RECORDS ACT REQUEST; EXCHANGED E-MAILS WITH B. VAN LIENDEN REGARDING SAME.	.30	69.00
8/16/22	AND	DRAFTED POWERPOINT FOR AD HOC MEETING; RESEARCHED SGMA REGARDING GSA AUTHORITIES; RESEARCHED SURROUNDING GSAS RULES AND REGULATIONS; RESEARCHED WATER MARKETS.	1.80	414.00
8/16/22	JDH	TELEPHONE CONFERENCE WITH A. DOMINGUEZ REGARDING MANAGEMENT AREA ISSUES.	.30	96.00
8/17/22	AND	TELEPHONE CALL WITH T. BLAKSLEE AND B. VAN LIENDEN REGARDING PUBLIC RECORDS ACT REQUEST; REVIEWED CONTRACT BETWEEN CBGSA AND WOODARD AND CURRAN; RESEARCHED PUBLIC RECORDS ACT REGARDING REQUESTS FOR ELECTRONIC DATA AND RELATED ITEMS.	1.50	345.00

## KLEIN DENATALE GOLDNER

Invoice No. 1199063

August 31, 2022

Date	Init	Description	Hours	Amount
8/17/22	AND	REVISED POWERPOINT PRESENTATION FOR AD HOC MEETING PER COMMENTS FROM J. HUGHES; RESEARCHED SURROUNDING GSAS RULES AND REGULATIONS.	1.00	230.00
8/18/22	AND	PREPARED FOR PRESENTATION; ATTENDED BASIN-WIDE WATER MANAGEMENT AD HOC COMMITTEE MEETING; VIDEO CONFERENCE WITH T. BLAKSLEE REGARDING RESPONSE TO PRA REQUEST.	1.30	299.00
8/18/22	AND	DRAFTED LETTER IN RESPONSE TO PUBLIC RECORDS ACT REQUEST; RESEARCHED PUBLIC RECORDS ACT REGARDING TIMING FOR DISCLOSURE OF DOCUMENTS AND AVAILABLE EXCEPTIONS; TELEPHONE CALL WITH J. KOMAR REGARDING SAME; TELEPHONE CALL WITH B. VAN LIENDEN REGARDING SAME; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	1.80	414.00
8/18/22	JVK	CONFERENCES WITH A. DOMINGUEZ REGARDING PRA REQUEST.	.30	96.00
8/19/22	AND	VIDEO CONFERENCE WITH J. BECK, T. BLAKSLEE, B. VAN LIENDEN, AND J. MONTOYA REGARDING PUBLIC WORKSHOP.	1.00	230.00
8/19/22	AND	REVISED LETTER IN RESPONSE TO PUBLIC RECORDS ACT REQUEST; E-MAILED T. BLAKSLEE REGARDING SAME; RESEARCHED PUBLIC RECORDS ACT REGARDING COSTS OF RESPONSE TO PUBLIC RECORDS ACT REQUEST.	1.20	276.00

**TOTAL PROFESSIONAL SERVICES****\$ 5,074.00****SUMMARY OF PROFESSIONAL SERVICES**

Name	Init	Rate	Hours	Total
DOMINGUEZ, ALEX	AND	230.00	15.80	3,634.00
HUGHES, JOSEPH	JDH	320.00	.30	96.00
KOMAR, JOHN	JVK	320.00	.30	96.00
WARREN, R. JEFFREY	RJW	320.00	3.90	1,248.00
<b>Total</b>			<b>20.30</b>	<b>\$ 5,074.00</b>

**TOTAL THIS INVOICE****\$ 5,074.00**

## KLEIN DENATALE GOLDNER

Invoice No. 1199063

August 31, 2022

**OUTSTANDING INVOICES**

Invoice No.	Date	Invoice Total	Payments Received	Ending Balance
1196784	6/30/22	4,163.00	.00	4,163.00
1198258	7/29/22	14,596.40	.00	14,596.40

PRIOR BALANCE \$ 18,759.40

Balance Due This Invoice \$ 5,074.00**TOTAL BALANCE DUE** **\$ 23,833.40****AGED ACCOUNTS RECEIVABLE**

Current - 30	31 - 60	61 - 90	91 - 120	Over 120	Total
\$ .00	\$ 14,596.40	\$ 4,163.00	\$ .00	\$ .00	\$ 18,759.40

August 31, 2022

CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
C/O HALLMARK GROUP  
\*\*\*\*\*EMAIL INVOICES\*\*\*\*\*

Invoice No. 1199063  
Client No. 22930  
Matter No. 001  
Billing Attorney: JDH

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**REMITTANCE**

RE: CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
GENERAL BUSINESS

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<b>BALANCE DUE THIS INVOICE</b>	<b>\$ 5,074.00</b>
Prior Balance	<u>\$ 18,759.40</u>
<b>TOTAL BALANCE DUE</b>	<b><u>\$ 23,833.40</u></b>

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**All checks should be made payable to:**  
(Please return this advice with payment.)

Klein DeNatale Goldner  
10000 Stockdale Hwy, Suite 200  
Bakersfield, CA 93311

**For payment by wire in USD:**  
(Please reference:  
Client-Matter No. 22930-001,  
Invoice No. 1199063)

J.P. Morgan Chase  
Account No. 825707620  
ABA No. 322271627

We accept all major credit cards. If you wish to pay by credit card call Accounting at (661) 395-1000.

**DUE UPON RECEIPT**

**FEDERAL I.D. No. 95-2298220**

***Thank you! Your business is greatly appreciated.***

455 W. Fir Avenue  
 Clovis, CA 93611  
 (559) 449-2700  
 Fax (559) 449-2715



Cuyama GSA  
 4900 California Ave., Tower B, 2nd Floor  
 Bakersfield, CA 93309

September 22, 2022  
 Project No: 03930-22-001  
 Invoice No: 95184

**Project Name: Cuyama GSA-CBGSA Groundwater Level Monitoring for 2023**

**Client Project #:**

**Phase QLT:** 2022 Cuyama Water Quality Sampling in August. Coordination with each well owner for sampling. Onsite sampling for two staff, travel lab delivery to Fresno BSK. Travel expenses. One time use sampling equipment expenses

**Phase LVL:** 3rd Quarter Cuyama Water Level follow up. Measurement of wells which were not available during the July levels, Deliverable report development. Reimbursable expenses for travel and mileage. Project management.

**Professional Services from August 1, 2022 to August 31, 2022**

Phase:	LVL	Groundwater Level Monitoring		
<b>Labor</b>				
		Hours	Rate	Amount
	Assistant Technician	1.00	90.00	90.00
	Associate Envir. Spec	10.50	133.00	1,396.50
	Totals	11.50		1,486.50
	<b>Total Labor</b>			<b>1,486.50</b>
<b>Reimbursable Expenses</b>				
	Travel & Mileage			614.74
	Other Direct Reimb Expenses			43.32
	<b>Total Reimbursables</b>			<b>658.06</b>
			<b>Total this Phase:</b>	<b>\$2,144.56</b>

Phase:	QLT	Groundwater Quality Monitoring		
<b>Labor</b>				
		Hours	Rate	Amount
	Associate Engineer	39.10	122.00	4,770.20
	Project Administrator	.50	98.00	49.00
	Senior GIS Specialist	13.60	142.00	1,931.20
	Associate Envir. Spec	46.70	133.00	6,211.10
	Travel Time	22.00	80.00	1,760.00
	Totals	121.90		14,721.50
	<b>Total Labor</b>			<b>14,721.50</b>
<b>Reimbursable Expenses</b>				
	Travel & Mileage			711.58
	Other Direct Reimb Expenses			688.73
	<b>Total Reimbursables</b>			<b>1,400.31</b>
			<b>Total this Phase:</b>	<b>\$16,121.81</b>

\*\*\* Please make checks payable to Provost & Pritchard Consulting Group \*\*\*  
 For billing inquiries, please email BillingInquiries@ppeng.com.

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Project	03930-22-001	CBGSA Groundwater Level Monitoring for 2	Invoice	95184
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**Total this Invoice** \$18,266.37



**Remit to:**  
 PO Box 55008  
 Boston, MA 02205-5008

T 800.426.4262  
 T 207.774.2112  
 F 207.774.6635

**INVOICE** 48

TD BANK  
**Electronic Transfer:**  
 ⑆ 211274450 ⑆ 2427662596 ⑆\*

Jim Beck  
 Executive Director  
 Cuyama Basin Groundwater Sustainability  
 Agency  
 c/o Hallmark Group  
 1901 Royal Oaks Drive, Suite 200  
 Sacramento, CA 95815

October 19, 2022  
 Project No: 0011078.01  
 Invoice No: 210297

Project 0011078.01 CUYAMA GSP

**Professional Services for the period ending September 30, 2022**

Phase 045 FY 22/23 STAKEHOLDER/BOARD AND OUTREACH ENGAGEMENT SUPPORT

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Graphics Manager			
Fox, Adam	1.75	140.00	245.00
Project Manager 2			
Van Lienden, Brian	24.50	295.00	7,227.50
Project Planner 1			
Eggleton, Charles	16.50	245.00	4,042.50
Totals	42.75		11,515.00
<b>Labor Total</b>			<b>11,515.00</b>

**Reimbursable**

Vehicle Expenses			
8/25/2022	Van Lienden, Brian	Cuyama Basin Workshop	387.50
9/7/2022	Van Lienden, Brian	Cuyama Basin GSA Board meeting	387.50
Travel & Lodging			
8/25/2022	Van Lienden, Brian	Cuyama Basin Workshop	7.45
8/25/2022	Van Lienden, Brian	Cuyama Basin Workshop	124.19
9/7/2022	Van Lienden, Brian	Cuyama Basin GSA Board Meeting	15.54



Project	0011078.01	CUYAMA GSP	Invoice	210297
9/7/2022	Van Lienden, Brian	Cuyama Basin GSA Board Meeting	141.30	
<b>Reimbursable Total</b>		<b>1.1 times</b>	<b>1,063.48</b>	<b>1,169.83</b>

**Consultant**

Sub - Consultant Miscellaneous

9/30/2022	THE CATALYST GROUP	THE CATALYST GROUP (033451)-699	200.00	
<b>Consultant Total</b>		<b>1.1 times</b>	<b>200.00</b>	<b>220.00</b>

**Total this Phase \$12,904.83**

Phase 046 FY 22/23 GRANT ADMINISTRATION

**Professional Personnel**

	Hours	Rate	Amount	
Planner 2				
Meyer, Nolan	.75	205.00	153.75	
Project Manager 2				
Van Lienden, Brian	7.50	295.00	2,212.50	
Project Planner 1				
Eggleton, Charles	11.50	245.00	2,817.50	
Totals	19.75		5,183.75	
<b>Labor Total</b>				<b>5,183.75</b>
			<b>Total this Phase</b>	<b>\$5,183.75</b>

Phase 047 FY 22/23 ONGOING MONITORING AND DATA MANAGEMENT SUPPORT

**Professional Personnel**

	Hours	Rate	Amount	
Planner 2				
Meyer, Nolan	2.00	205.00	410.00	
Totals	2.00		410.00	
<b>Labor Total</b>				<b>410.00</b>
			<b>Total this Phase</b>	<b>\$410.00</b>

Phase 048 FY 22/23 MONITORING NETWORK ENHANCEMENTS

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Project	0011078.01	CUYAMA GSP	Invoice	210297
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**Professional Personnel**

	Hours	Rate	Amount	
Project Geologist 2				
Lucy, Caleb	3.00	260.00	780.00	
Project Manager 2				
Van Lienden, Brian	3.50	295.00	1,032.50	
Project Planner 1				
Eggleton, Charles	47.00	245.00	11,515.00	
Senior Project Manager				
Strandberg, James	5.50	315.00	1,732.50	
Totals	59.00		15,060.00	
<b>Labor Total</b>				<b>15,060.00</b>
			<b>Total this Phase</b>	<b>\$15,060.00</b>

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Phase	049	FY 22/23 PROJECT & MANAGEMENT ACTION IMPLEMENTATION
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**Professional Personnel**

	Hours	Rate	Amount	
Engineer 3				
Zhou, Jingnan	4.00	235.00	940.00	
Project Assistant				
Sentz-Casas, Christine	.25	120.00	30.00	
Project Engineer 1				
Ceyhan, Mahmut	11.00	245.00	2,695.00	
Roy, Zachary	47.00	245.00	11,515.00	
Project Manager 2				
Van Lienden, Brian	24.50	295.00	7,227.50	
Project Planner 1				
Eggleton, Charles	35.00	245.00	8,575.00	
Senior Project Assistant				
Hughart, Desiree	1.00	140.00	140.00	
Senior Technical Practice Leader				
Taghavi, Ali	8.00	330.00	2,640.00	
Totals	130.75		33,762.50	
<b>Labor Total</b>				<b>33,762.50</b>
			<b>Total this Phase</b>	<b>\$33,762.50</b>

Project	0011078.01	CUYAMA GSP	Invoice	210297
Phase	050	FY 22/23 GSP IMPLEMENTATION, OUTREACH, AND COMPLIANCE ACTIVITIES		

**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Planner 2				
Meyer, Nolan	6.75	205.00	1,383.75	
Project Manager 2				
Van Lienden, Brian	4.50	295.00	1,327.50	
Totals	11.25		2,711.25	
<b>Labor Total</b>				<b>2,711.25</b>
				<b>Total this Phase</b>
				<b>\$2,711.25</b>

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Phase	051	FY 22/23 IMPROVE UNDERSTANDING OF BASIN WATER USE		
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**Professional Personnel**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Planner 2				
Meyer, Nolan	.50	205.00	102.50	
Project Manager 2				
Van Lienden, Brian	2.00	295.00	590.00	
Totals	2.50		692.50	
<b>Labor Total</b>				<b>692.50</b>

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Project	0011078.01	CUYAMA GSP	Invoice	210297
			<b>Total this Phase</b>	<b>\$692.50</b>
			<b>Total this Invoice</b>	<b>\$70,724.83</b>

**Outstanding Invoices**

Number	Date	Balance
209129	9/19/2022	76,970.13
<b>Total</b>		<b>76,970.13</b>

	Current Fee	Previous Fee	Total
<b>Project Summary</b>	<b>70,724.83</b>	<b>3,824,139.65</b>	<b>3,894,864.48</b>

Approved by:




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Brian Van Lienden  
Project Manager  
Woodard & Curran



## Progress Report

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### Cuyama Basin Groundwater Sustainability Plan Development

**Subject:** September 2022 Progress Report

Jim Beck, Executive Director,

**Prepared for:** Cuyama Basin Groundwater Sustainability Agency (CBGSA)

**Prepared by:** Micah Eggleton, Woodard & Curran

**Reviewed by:** Brian Van Lienden, Woodard & Curran

**Date:** October 19, 2022

**Project No.:** 0011078.01

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This progress report summarizes the work performed and project status for the period of August 27, 2022 through September 30, 2022 on the Cuyama Basin Groundwater Sustainability Plan Development project. The work associated with this invoice was performed in accordance with our Consulting Services Agreement dated December 6, 2017, and with Task Order 10, issued by the CBGSA on May 4, 2022. Work previously authorized on Task Orders 1 through 9 are complete.

The progress report contains the following sections:

1. Work Performed
2. Budget Status
3. Schedule Status
4. Outstanding Issues to be Coordinated

## 1 Work Performed

A summary of work performed on the project during the current reporting period is provided in Tables 1. Table 1 shows work under Task Order 10.

**Table 1: Summary of Task/Deliverables Status for Task Order 10**

Task	Work Completed During the Reporting Period	Percent Complete	Work Scheduled for Next Period
<b>Task 45: FY23 Stakeholder/Board and Outreach Engagement Support</b>	<ul style="list-style-type: none"> <li>• Prepare for and participate in ad-hoc calls</li> <li>• Prepare materials for Board meeting and packet</li> <li>• Attended Board meeting</li> <li>• Updates to GSA website</li> <li>• Prepared for and attended Stakeholder workshop</li> </ul>	31%	<ul style="list-style-type: none"> <li>• Participation in future ad-hoc calls</li> <li>• Preparation for and participation in future CBGSA Board and SAC meetings</li> </ul>
<b>Task 46: FY23 Grant Administration</b>	<ul style="list-style-type: none"> <li>• Coordination, budget and schedule management related to grant tasks</li> <li>• Preparation of grant forms, such as EIF and schedule</li> <li>• Review grant agreement and prepare invoices</li> </ul>	11%	<ul style="list-style-type: none"> <li>• Grant administration kick-off meeting</li> <li>• Further grant administration and invoicing</li> </ul>
<b>Task 47: FY23 Ongoing Monitoring and Data Management Support</b>	<ul style="list-style-type: none"> <li>• Program management, coordination and data management related to monitoring activities</li> <li>• Data analysis and reporting of monitoring data</li> <li>• Uploading data to DMS</li> </ul>	12%	<ul style="list-style-type: none"> <li>• Continued implementation support</li> </ul>
<b>Task 48: FY23 Monitoring Network Enhancements</b>	<ul style="list-style-type: none"> <li>• GIS analysis for piezometers, monitoring wells, and CIMIS/weather station locations</li> <li>• Develop draft recommendations for monitoring network enhancements</li> <li>• Regular groundwater reporting</li> </ul>	6%	<ul style="list-style-type: none"> <li>• Continued data analysis and recommendation development for monitoring network enhancements</li> </ul>

Task	Work Completed During the Reporting Period	Percent Complete	Work Scheduled for Next Period
<b>Task 49: FY23 Projects &amp; Management Action Implementation</b>	<ul style="list-style-type: none"> <li>Support for parcel pumping estimates</li> <li>Coordination and technical analysis to support projects and management actions</li> <li>Support for variance requests</li> </ul>	24%	<ul style="list-style-type: none"> <li>Continued data analysis, drafting, and support of implementation of projects and management actions</li> </ul>
<b>Task 50: FY23 GSP Implementation, Outreach, &amp; Compliance Activities</b>	<ul style="list-style-type: none"> <li>Preparation and analysis for pumping allocation support</li> <li>Unknown pumpers analysis</li> <li>PMA implementation support and planning</li> </ul>	22%	<ul style="list-style-type: none"> <li>PMA implementation support including analysis and material preparation</li> </ul>
<b>Task 51: FY23 Improve Understanding of Basin Water Use</b>	<ul style="list-style-type: none"> <li>Glide path analysis</li> <li>GIS and data analysis to support implementation of field equipment</li> </ul>	20%	<ul style="list-style-type: none"> <li>Continued analysis of data for understanding basin water use</li> </ul>
<b>Task 52: Support for DWR Technical Support Services</b>	<ul style="list-style-type: none"> <li>None during billing period</li> </ul>	0%	<ul style="list-style-type: none"> <li>Support DWR TSS activities as needed</li> </ul>
<b>Task 53: Preparation of Grant Proposal</b>	<ul style="list-style-type: none"> <li>None during billing period</li> </ul>	0%	<ul style="list-style-type: none"> <li>Support for grant proposals as requested by CBGSA Board</li> </ul>

## 2 Budget Status

Table 2 shows the percent spent for each task under Task Order 10 as of September 30, 2022. 16% of the available Task Order 10 budget has been expended (\$225,194.01 out of \$1,423,667).

**Table 2: Budget Status for Task Order 10**

<b>Task</b>	<b>Total Budget</b>	<b>Spent Previously</b>	<b>Spent this Period</b>	<b>Total Spent to Date</b>	<b>Budget Remaining</b>	<b>% Spent to Date</b>
45	\$145,650.00	\$32,381.68	\$12,904.83	\$45,286.51	\$100,363.49	31%
46	\$100,060.00	\$5,770.00	\$5,183.75	\$10,953.75	\$89,106.25	11%
47	\$44,810.00	\$4,917.50	\$410.00	\$5,327.50	\$39,482.50	12%
48	\$460,160.00	\$12,890.00	\$15,060.00	\$27,950.00	\$432,210.00	6%
49	\$305,950.00	\$38,353.75	\$33,762.50	\$72,116.25	\$233,833.75	24%
50	\$150,050.00	\$30,327.50	\$2,711.25	\$33,038.75	\$117,011.25	22%
51	\$154,992.00	\$29,828.75	\$692.50	\$30,521.25	\$124,470.75	20%
52	\$20,030.00	\$0.00	\$0.00	\$0.00	\$20,030.00	0%
53	\$41,965.00	\$0.00	\$0.00	\$0.00	\$41,965.00	0%
<b>Total</b>	<b>\$1,423,667.00</b>	<b>\$154,469.18</b>	<b>\$70,724.83</b>	<b>\$225,194.01</b>	<b>\$1,198,472.99</b>	<b>16%</b>

### 3 Schedule Status

The project is on schedule. Work authorized under Task Orders 1 through 9 is complete.

### 4 Outstanding Issues to be Coordinated

None



To: **Cuyama Basin GSA**  
 Attn: Jim Beck  
 4900 California Avenue, Ste B  
 Bakersfield, CA 93309

Please Remit To: **Hallmark Group**  
 500 Capitol Mall, Ste 2350  
 Sacramento, CA 95814  
 P: (916) 923-1500

Invoice No.: 2022-CBGS-09  
 Task Order No.: CB-HG-008  
 Agreement No.: 201709-CB-001  
 Date: September 30, 2022

For professional services rendered for the month of September 2022:

Task Order	Sub Task	Task Description	Billing Classification	Hours	Rate	Amount	
CB-HG-008	1	Board of Directors Meetings	Executive Director - J. Beck	15.25	\$ 350.00	\$ 5,337.50	
			Project Manager - T. Blakslee	25.25	\$ 175.00	\$ 4,418.75	
			Project Coordinator - J. Montoya	19.25	\$ 125.00	\$ 2,406.25	
				<b>Total Sub Task 1 Labor</b>		<b>\$ 12,162.50</b>	
CB-HG-008	2	Consultant Management and GSP Implementation	Executive Director - J. Beck	8.50	\$ 350.00	\$ 2,975.00	
			Project Manager - T. Blakslee	13.00	\$ 175.00	\$ 2,275.00	
			Project Coordinator - J. Montoya	0.00	\$ 125.00	\$ -	
				<b>Total Sub Task 2 Labor</b>		<b>\$ 5,250.00</b>	
CB-HG-008	3	Financial Information Coordination	Project Controls - J. Harris	9.00	\$ 200.00	\$ 1,800.00	
			Project Manager - T. Blakslee	2.00	\$ 175.00	\$ 350.00	
			Project Coordinator - J. Montoya	3.25	\$ 125.00	\$ 406.25	
				<b>Total Sub Task 3 Labor</b>		<b>\$ 2,556.25</b>	
CB-HG-008	4	CBGSA Outreach	Project Manager - T. Blakslee	2.00	\$ 175.00	\$ 350.00	
			Project Coordinator - J. Montoya	3.75	\$ 125.00	\$ 468.75	
				<b>Total Sub Task 4 Labor</b>		<b>\$ 818.75</b>	
CB-HG-008	5	Groundwater Extraction Fee Funding	Project Controls - J. Harris	0.00	\$ 200.00	\$ -	
			Project Manager - T. Blakslee	0.75	\$ 175.00	\$ 131.25	
			Project Coordinator - J. Montoya	0.00	\$ 125.00	\$ -	
				<b>Total Sub Task 5 Labor</b>		<b>\$ 131.25</b>	
CB-HG-008	6	Support for CBGSA Response to DWR and Public Comments	Project Manager - T. Blakslee	0.50	\$ 175.00	\$ 87.50	
							<b>Total Sub Task 6 Labor</b>
CB-HG-008	7	Central Management Area Policy	Project Manager - T. Blakslee	15.00	\$ 175.00	\$ 2,625.00	
			Project Coordinator - J. Montoya	6.00	\$ 125.00	\$ 750.00	
				<b>Total Sub Task 7 Labor</b>		<b>\$ 3,375.00</b>	
CB-HG-008	8	Adjudication Support	Project Manager - T. Blakslee	3.50	\$ 175.00	\$ 612.50	
			Project Coordinator - J. Montoya	0.00	\$ 125.00	\$ -	
				<b>Total Sub Task 8 Labor</b>		<b>\$ 612.50</b>	
						<b>Total Labor</b>	<b>\$ 24,993.75</b>
Travel and Other Direct Costs: Hall Letter Shop - Delay Noticing						\$	635.39
						<b>SubTotal Travel and Other Direct Costs</b>	<b>\$ 635.39</b>
ODC Mark Up						5%	\$ 31.77
						<b>Total Travel and Other Direct Costs</b>	<b>\$ 667.16</b>
						<b>TOTAL AMOUNT DUE THIS INVOICE</b>	<b>\$ 25,660.91</b>

**MAXIMUM CONTRACT VALUE AND PROGRESS BILLING**

Task Order	Original Totals	Amendment(s)	Total Committed	Previously Billed	Current Billing	Remaining Balance
CB-HG-008	\$ 284,306.00		\$ 284,306.00	\$ 57,543.75	\$ 24,993.75	\$ 201,768.50
Travel and ODC	\$ 5,694.00		\$ 5,694.00	\$ 6,371.85	\$ 667.16	\$ (1,345.01)
<b>Total</b>	<b>\$ 290,000.00</b>	<b>\$ -</b>	<b>\$ 290,000.00</b>	<b>\$ 63,915.60</b>	<b>\$ 25,660.91</b>	<b>\$ 200,423.49</b>

# CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

## PROGRESS REPORT FOR TASK ORDER CB-HG-007

<b>Client Name:</b>	Cuyama Basin Groundwater Sustainability Agency	<b>Agreement Number:</b>	201709-CB-001
<b>Company Name:</b>	HGCPM, Inc. DBA The Hallmark Group	<b>Address:</b>	500 Capitol Mall, Suite 2350 Sacramento, CA 95814
<b>Task Order Number:</b>	CB-HG-007	<b>Report Period:</b>	September 1-30, 2022
<b>Progress Report Number:</b>	43	<b>Project Manager:</b>	Jim Beck
<b>Invoice Number:</b>	2022-CBGSA-09	<b>Invoice Date:</b>	September 30, 2022

## SUMMARY OF WORK PERFORMED

### Task 1: Board of Directors and Advisory Committee Meetings

- Prepared and facilitated Standing Advisory Committee (SAC) meeting on September 1, 2022.
- Prepared and facilitated Cuyama Groundwater Sustainability Agency Board (Board) meeting on September 7, 2022.
- Prepared and facilitated variance review ad hoc meeting on September 29, 2022.
- Coordinated with known pumpers for unreported water use and updated APN list.
- Drafted minutes from SAC meeting on September 1, 2022.
- Drafted minutes from Board meeting on September 7, 2022.
- Compiled and distributed variance request forms received.
- Reviewed landowners request to submit variance request after deadline.
- Prepared United States Geological Survey (USGS) agreement and provided fully executed agreement to USGS.
- Prepared meeting minutes for signature.
- Tracked well information survey.
- Prepared and sent biennial conflict of interest code to Fair Political Practices Commission.
- Drafted and distributed summary of September 7, 2022, Board actions to Directors.
- Facilitated touch base meeting with Department of Water Resources (DWR) point of contact Anita Regmi.

### Task 2: Consultant Management and GSP Implementation

- Reviewed variance policy with Legal Counsel.
- Drafted well permit policies.
- Prepared and emailed well information survey to all Cuyama stakeholders.
- Coordinated PRA request with Legal Counsel.
- Processed model file request from Ventucopa landowner representative.
- Correspondence with John Caufield regarding model issues and well information survey.
- Correspondence with landowner regarding well information survey.
- Correspondence with landowner regarding variance request form.
- Coordinated with Woodard and Curran consultant Micah Eggleton regarding unknown pumpers map.

- Developed Basin-wide water management options.

### **Task 3: Financial Information Coordination**

- Reviewed PBC list for audit.
- Correspondence with auditors.
- Developed and prepared audit workpaper.
- Drafted August progress report.
- Correspondence with DWR grant manager Kelly List regarding Round 2 grant and coordinated with DWR grant manager Chris Martinez on executed grant agreement.

### **Task 4: Cuyama Basin GSA Outreach**

- Correspondence with landowner regarding Board meeting on September 7, 2022.
- Prepared and distributed materials in the mail for well information survey to all Cuyama landowners.
- Correspondence with potential landowner regarding registering a well and reporting water use.
- Prepared and distributed notification of delay in allocation for Central Management Area (CMA) via mail.
- Correspondence with landowner regarding well information survey.
- Correspondence with John Caufield regarding model assumptions and irrigated land data gaps.

### **Task 5: Groundwater Extraction Fee Funding Process and Administration**

- Finalized invoice for groundwater pumper.
- Correspondence with landowner regarding extraction fee.

### **Task 6: Support for CBGSA Response to DWR and Public Comments**

- Coordinated amended GSP resolution with DWR's Jack Tung.

### **Task 7: Management Area Policy**

- Correspondence with Cuyama Community Services District, U.S. Post Office, PG&E and Earl Clettus McDonell regarding information non-deliverable addresses for estimated CMA allocations.
- Correspondence with landowner regarding variance request.

### **Task 8: Adjudication Support**

- Coordinated adjudication documents on website.
- Correspondence with legal counsel regarding PRA request.

## **DELIVERABLES AND COMPLETED TASKS**

- Facilitated SAC meeting on September 1, 2022.
- Facilitated Board meeting on September 7, 2022.
- Facilitated variance review ad hoc meeting on September 29, 2022.
- Processed invoicing for Groundwater Extraction Fee.

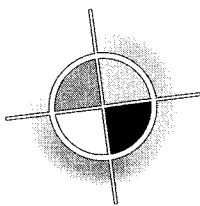
## **PLANNED OBJECTIVES FOR NEXT REPORTING PERIOD**

- Finalize Central Management Area policies.

## **SIGNIFICANT ISSUES OR CHALLENGES (IF ANY) AND POTENTIAL RESOLUTIONS**

- N/A

INVOICE



# HALL Letter Shop, Inc.

## PRINTING & MAILING CENTER

5200 Rosedale Highway, Bakersfield, CA 93308  
(661) 327-3228 • Fax (661) 327-5140

DATE 9-27-22

HALL LETTER SHOP  
5200 ROSEDALE HWY  
BAKERSFIELD, CA 93308  
(661) 327-3228  
HEADER 61

SOLD TO:

Hallmark Group CPM  
4900 California Ave Tower B Ste 210  
93309

Bank ID: 1402  
Merchant ID: 9760  
Term ID: 001

Phone Order

XXXXXXXXXXXX9066  
VISA

Entry Method: Manual

Total: \$ **635.39**

09/28/22

09:17:37

Inv #: 000002

Appr Code: 026266

Apprvd: Online

Batch#: 271001

AVS Code: ZIP MATCH Z



CVV2 Code: MATCH M

Retrieval Ref. #: 20100001

Customer Copy

FOOTER 41

ENCRYPTED TRANSACTION

CREDIT CARD	CASH	CHECK	P.O. NUMBER	JOB NUMBER
<input type="checkbox"/>  <input type="checkbox"/> 				H 9124

600 Notice of delay letter 225.90

*Handwritten note in a bubble:*  
Paid 9/28/22  
Becca  
Visa # 635.39

TX 16.38

242.28

mail prep for 577 pcs 185.50

Postage 207.61

635.39

All work done by Hall Letter Shop subject to published terms and conditions.

Drivers Lic. or ID# \_\_\_\_\_

Card Holders Name \_\_\_\_\_

Salesperson \_\_\_\_\_

*Thank you for this order!*

September 30, 2022

CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
C/O HALLMARK GROUP  
\*\*\*\*\*EMAIL INVOICES\*\*\*\*\*

Invoice No. 1200539  
Client No. 22930  
Matter No. 001  
Billing Attorney: JDH

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### INVOICE SUMMARY

For Professional Services Rendered for the Period Ending: September 19, 2022.

RE: CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
GENERAL BUSINESS

Professional Services	\$ 15,510.00
Costs Advanced	<u>    \$ .00</u>
<b>TOTAL THIS INVOICE</b>	<b>\$ 15,510.00</b>
Prior Balance	<u>    \$ 5,074.00</u>
<b>TOTAL BALANCE DUE</b>	<b><u>    \$ 20,584.00</u></b>

Invoice No. 1200539

September 30, 2022

**PROFESSIONAL SERVICES**

<b>Date</b>	<b>Init</b>	<b>Description</b>	<b>Hours</b>	<b>Amount</b>
8/20/22	AND	REVISED PUBLIC WORKSHOP POWERPOINT PRESENTATION REGARDING ADJUDICATION; E-MAILED J. HUGHES REGARDING SAME; RESEARCHED BROWN ACT REGARDING PARTICIPATION AT COMMUNITY EVENT; E-MAILED J. HUGHES REGARDING SAME.	1.00	230.00
8/22/22	AND	ATTENDED NEW WELL PERMIT AD HOC COMMITTEE MEETING.	1.00	230.00
8/22/22	AND	TELEPHONE CALLS WITH T. BLAKSLEE REGARDING BROWN ACT COMPLIANCE FOR PUBLIC WORKSHOP AND ASSEMBLY BILL 2201; E-MAILED J. MONTOYA REGARDING SAME; RESEARCHED COMMUNITY WORKSHOPS PER COMMENTS FROM D. YUROSEK AND T. BLAKSLEE; FOLLOW UP CALLS WITH T. BLAKSLEE REGARDING SAME.	.60	138.00
8/22/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING CENTRAL MANAGEMENT AREA POLICIES; REVIEWED POLICIES REGARDING SAME.	.40	92.00
8/23/22	AND	TELEPHONE CALLS WITH J. HUGHES REGARDING PUBLIC WORKSHOP AND BROWN ACT COMPLIANCE; TELEPHONE CALLS WITH T. BLAKSLEE REGARDING SAME.	.60	138.00
8/23/22	AND	REVISED ADJUDICATION SLIDES FOR PUBLIC WORKSHOP; E-MAILED J. WARREN REGARDING SAME; OFFICE CONFERENCE WITH J. WARREN REGARDING SAME; REVIEWED COURT DOCKET; REVIEWED CASE MANAGEMENT ORDERS; E-MAILED J. HUGHES REGARDING SAME.	.80	184.00
8/23/22	AND	TELEPHONE CALL WITH T. BLAKSLEE AND B. VAN LIENDEN REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST.	.20	46.00
8/23/22	AND	COMPARED AND CONTRASTED ASSEMBLY BILL 2201 WITH GOVERNOR EXECUTIVE ORDER AND CURRENT AD HOC POLICIES; E-MAILED T. BLAKSLEE ANALYSIS REGARDING SAME.	1.00	230.00
8/23/22	JDH	CONFERENCE WITH A. DOMINGUEZ REGARDING PUBLIC WORKSHOP; TELEPHONE CONFERENCE WITH D. YUROSEK.	.60	192.00
8/23/22	RJW	REVIEWED AND RESPONDED TO E-MAIL FROM A. DOMINGUEZ REGARDING ADJUDICATION STATUS; CONFERENCE WITH A. DOMINGUEZ.	.40	128.00
8/24/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING PUBLIC WORKSHOP.	.20	46.00
8/25/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING PUBLIC WORKSHOP; TELEPHONE CALL WITH J. HUGHES REGARDING SAME; E-MAILED J. HUGHES ANALYSIS OF AB 2201; REVIEWED E-MAILS REGARDING OUTSTANDING ACTION ITEMS FOR AD HOC COMMITTEE.	.30	69.00
8/25/22	JDH	REVISED SLIDES FOR PUBLIC WORKSHOP PRESENTATION; TELEPHONE CONFERENCE WITH T. BLAKSLEE.	1.30	416.00
8/25/22	JDH	ATTENDED PUBLIC WORKSHOP.	6.20	1,984.00
8/25/22	RJW	E-MAILED J. HUGHES REGARDING INITIAL DISCLOSURE ISSUES.	.20	64.00
8/26/22	AND	REVIEWED DRAFT AGENDA; RESEARCHED BROWN ACT REGARDING CLOSED SESSION ITEM DESCRIPTION; E-MAILED T. BLAKSLEE REGARDING SAME.	.20	46.00
8/26/22	JDH	E-MAILED STAFF REGARDING AGENDA AND BOARD PACKET ISSUES; TELEPHONE CONFERENCE WITH D. YUROSEK; TELEPHONE CONFERENCE WITH T. BLAKSLEE.	1.10	352.00

Invoice No. 1200539

September 30, 2022

Date	Init	Description	Hours	Amount
8/29/22	AND	REVIEWED E-MAILS FROM AD HOC COMMITTEE REGARDING NEW WELL PERMITTING; RESEARCHED GSA AUTHORITY TO IMPOSE FEES AND COSTS FOR CONSISTENCY DETERMINATION; E-MAILED J. HUGHES ANALYSIS REGARDING SAME; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	1.50	345.00
8/29/22	AND	ATTENDED NEW WELL PERMITTING AD HOC COMMITTEE.	1.20	276.00
8/29/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING VARIANCE REQUEST; REVIEWED VARIOUS REQUEST.	.40	92.00
8/30/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING CENTRAL MANAGEMENT AREA POLICIES AND VARIANCE REQUESTS.	.30	69.00
8/31/22	AND	RECEIVED AND REVIEWED E-MAILS FROM T. BLAKSLEE REGARDING SAC MEETING POWERPOINT PRESENTATION AND CMA POLICIES AND NOTIFICATIONS.	.20	46.00
8/31/22	RJW	REVIEWED AND RESPONDED TO E-MAIL FROM R. KUHS REGARDING CASE MANAGEMENT CONFERENCE MEET-AND-CONFER.	.20	64.00
9/01/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAC MEETING; REVIEWED REVISED POWERPOINT PRESENTATION; REVIEWED MEETING AGENDA; E-MAILED T. BLAKSLEE REGARDING SAME.	.40	92.00
9/01/22	AND	RESEARCHED STATUS OF ASSEMBLY BILL 2201; SENT E-MAIL REGARDING ANALYSIS OF SAME.	.10	23.00
9/01/22	AND	ATTENDED SAC MEETING.	4.80	1,104.00
9/01/22	JDH	REVIEWED AND REPLIED TO E-MAIL.	.20	64.00
9/02/22	AND	RESEARCHED ABILITY TO CHARGE FOR CONSULTANT TIME FOR CONSTRUCTING ELECTRONIC RECORDS; PREPARED LETTER TO B. DEBRANCH REGARDING SAME.	1.00	230.00
9/02/22	RJW	PREPARED FOR AND ATTENDED MEET-AND-CONFER CONFERENCE.	1.50	480.00
9/05/22	RJW	ATTENDED CASE MANAGEMENT CONFERENCE MEET-AND-CONFER ZOOM CONFERENCE.	1.50	480.00
9/06/22	AND	REVIEWED AND ANNOTATED SENATOR HURTADO LETTER TO DEPARTMENT OF JUSTICE; E-MAILED D. YUROSEK ANALYSIS REGARDING SAME.	.30	69.00
9/06/22	AND	VIDEO CONFERENCE WITH D. YUROSEK, J. HUGHES, J. BECK AND T. BLAKSLEE REGARDING UPCOMING BOARD MEETING.	1.30	299.00
9/06/22	AND	TELEPHONE CALL WITH B. VAN LIENDEN REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; TELEPHONE CALL WITH J. MONTOYA REGARDING SAME; RESEARCHED PUBLIC RECORDS ACT REQUEST; TELEPHONE CALL WITH B. DEBRANCH REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST.	.40	92.00
9/06/22	AND	RESEARCHED CONFLICT OF INTEREST REGARDING LANDOWNER PARTICIPATION IN VARIANCE POLICIES; OFFICE CONFERENCE WITH J. HUGHES REGARDING SAME; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	1.70	391.00
9/06/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING BOARD ALTERNATES, BOARD AGENDA, AND CONFLICT OF INTEREST ISSUES.	.30	69.00
9/06/22	JDH	ATTENDED PRE-BOARD MEETING.	1.30	416.00
9/06/22	JDH	CONFERENCE WITH A. DOMINGUEZ; PREPARED FOR BOARD MEETING.	1.30	416.00



Invoice No. 1200539

September 30, 2022

Date	Init	Description	Hours	Amount
9/07/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING BOARD MEETING; RESEARCHED BROWN ACT REGARDING ADDING ITEM TO AGENDA; E-MAILED J. HUGHES REGARDING SAME.	.50	115.00
9/07/22	AND	TELEPHONE CALL WITH J. HUGHES, J. BECK AND T. BLAKSLEE REGARDING CENTRAL MANAGEMENT AREA ACTION ITEMS FOR BOARD MEETING.	.50	115.00
9/07/22	AND	ATTENDED BOARD MEETING.	3.80	874.00
9/07/22	JDH	ATTENDED SEPTEMBER REGULAR BOARD MEETING; TELEPHONE CONFERENCE WITH D. YUROSEK; TELEPHONE CONFERENCE WITH J. BECK AND T. BLAKSLEE.	7.40	2,368.00
9/08/22	AND	RECEIVED AND REVIEWED E-MAIL AND ATTACHMENTS FROM B. VAL LIENDEN REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME; TELEPHONE CALL WITH B. VAN LIENDEN REGARDING SAME; TELEPHONE CALL WITH B. DEBRANCH REGARDING SAME; TELEPHONE CALL WITH D. CLIFFORD REGARDING SAME.	1.50	345.00
9/08/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING PUBLIC RECORDS ACT REQUEST.	.20	46.00
9/08/22	JVK	CONFERENCE WITH A. DOMINGUEZ REGARDING PRA REQUEST.	.20	64.00
9/09/22	AND	VIDEO CONFERENCE WITH J. HUGHES, D. YUROSEK, J. BECK, AND T. BLAKSLEE REGARDING REVIEW OF POST-BOARD MEETING ACTIONS; VIDEO CONFERENCE WITH J. BECK, T. BLAKSLEE, AND B. VAN LIENDEN REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; TELEPHONE CALL WITH D. CLIFFORD REGARDING SAME; E-MAILED D. CLIFFORD REGARDING SAME; E-MAILED B. VAN LIENDEN REGARDING SAME; RESEARCHED EFFECT AND COSTS OF SUBPOENA.	2.00	460.00
9/09/22	JDH	ATTENDED POST-BOARD MEETING CONFERENCE.	1.00	320.00
9/09/22	RJW	CONFERENCE WITH A. DOMINGUEZ REGARDING SUBPOENA ISSUES.	.30	96.00
9/12/22	AND	TELEPHONE CALL WITH B. VAN LIENDEN REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; TELEPHONE CALL WITH J. MONTOYA REGARDING SAME.	.30	69.00
9/13/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST.	.20	46.00
9/13/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST AND LANDOWNER VARIANCE REQUEST; E-MAILED D. CLIFFORD REGARDING SAME; REVIEWED AND REVISED E-MAIL FROM J. MONTOYA TO LANDOWNER REGARDING VARIANCE PROCESS.	.50	115.00
9/13/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST AND LANDOWNER VARIANCE REQUEST.	.20	46.00
9/14/22	AND	RESEARCHED ASSEMBLY BILL 2449 REGARDING AMENDMENTS TO BROWN ACT; E-MAILED T. BLAKSLEE ANALYSIS REGARDING SAME.	.30	69.00
9/14/22	AND	TELEPHONE CALL WITH T. BLAKSLEE REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST.	.20	46.00
9/15/22	AND	E-MAILED B. DEBRANCH REGARDING RESPONSE TO PRA REQUEST; TELEPHONE CALL WITH T. BLAKSLEE REGARDING SAME.	.20	46.00

## KLEIN DENATALE GOLDNER

Invoice No. 1200539

September 30, 2022

Date	Init	Description	Hours	Amount
9/16/22	AND	PREPARED FOR MEETING REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; VIDEO CONFERENCE WITH T. BLAKSLEE, B. VAN LIENDEN, B. DEBRANCH, AND D. CLIFFORD REGARDING RESPONSE TO PUBLIC RECORDS ACT REQUEST; FOLLOW UP CONVERSATION WITH T. BLAKSLEE AND B. VAN LIENDEN REGARDING SAME.	.50	115.00
9/16/22	JDH	CONFERENCE WITH J. BECK AND T. BLAKSLEE REGARDING CMA POLICY.	1.20	384.00
9/19/22	AND	REVIEWED ORDER PROVIDED BY B. DEBRANCH; RESEARCHED CODE OF CIVIL PROCEDURE REGARDING SAME; E-MAILED T. BLAKSLEE REGARDING SAME.	.30	69.00

**TOTAL PROFESSIONAL SERVICES****\$ 15,510.00****SUMMARY OF PROFESSIONAL SERVICES**

Name	Init	Rate	Hours	Total
DOMINGUEZ, ALEX	AND	230.00	31.40	7,222.00
HUGHES, JOSEPH	JDH	320.00	21.60	6,912.00
KOMAR, JOHN	JVK	320.00	.20	64.00
WARREN, R. JEFFREY	RJW	320.00	4.10	1,312.00
<b>Total</b>			<b>57.30</b>	<b>\$ 15,510.00</b>

**TOTAL THIS INVOICE****\$ 15,510.00**

Invoice No. 1200539

September 30, 2022

**OUTSTANDING INVOICES**

Invoice No.	Date	Invoice Total	Payments Received	Ending Balance
1199063	8/31/22	5,074.00	.00	5,074.00

PRIOR BALANCE \$ 5,074.00

Balance Due This Invoice \$ 15,510.00

**TOTAL BALANCE DUE \$ 20,584.00**

**AGED ACCOUNTS RECEIVABLE**

Current - 30	31 - 60	61 - 90	91 - 120	Over 120	Total
\$ 5,074.00	\$ .00	\$ .00	\$ .00	\$ .00	\$ 5,074.00

September 30, 2022

CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
C/O HALLMARK GROUP  
\*\*\*\*\*EMAIL INVOICES\*\*\*\*\*

Invoice No. 1200539  
Client No. 22930  
Matter No. 001  
Billing Attorney: JDH

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**REMITTANCE**

RE: CUYAMA BASIN GROUNDWATER SUSTAINABILITY  
GENERAL BUSINESS

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<b>BALANCE DUE THIS INVOICE</b>	<b>\$ 15,510.00</b>
Prior Balance	<u>\$ 5,074.00</u>
<b>TOTAL BALANCE DUE</b>	<b><u>\$ 20,584.00</u></b>

---

**All checks should be made payable to:**  
(Please return this advice with payment.)

Klein DeNatale Goldner  
10000 Stockdale Hwy, Suite 200  
Bakersfield, CA 93311

**For payment by wire in USD:**  
(Please reference:  
Client-Matter No. 22930-001,  
Invoice No. 1200539)

J.P. Morgan Chase  
Account No. 825707620  
ABA No. 322271627

We accept all major credit cards. If you wish to pay by credit card call Accounting at (661) 395-1000.

**DUE UPON RECEIPT**

**FEDERAL I.D. No. 95-2298220**

***Thank you! Your business is greatly appreciated.***

455 W. Fir Avenue  
 Clovis, CA 93611  
 (559) 449-2700  
 Fax (559) 449-2715



Cuyama GSA  
 4900 California Ave., Tower B, 2nd Floor  
 Bakersfield, CA 93309

October 20, 2022  
 Project: No: 03930-22-001  
 Invoice No: 95692

**Project Name: Cuyama GSA-CBGSA Groundwater Level Monitoring for 2023**

**Client Project #:**

**Phase QLT:** 2022 Cuyama Water Quality Sampling in August. Coordination with each well owner for sampling. Onsite sampling for two staff, travel lab delivery to Fresno BSK. Travel expenses. One time use sampling equipment expenses. Lab analysis fees BSK Laboratories

**Professional Services from September 1, 2022 to September 30, 2022**

Phase:	QLT	Groundwater Quality Monitoring		
<b>Labor</b>				
			<b>Hours</b>	<b>Rate</b>
				<b>Amount</b>
		Associate Engineer	9.40	122.00
		Associate Envir. Spec	3.80	133.00
		Intern	1.50	65.00
		Travel Time	5.70	80.00
		Totals	20.40	2,205.70
		<b>Total Labor</b>		<b>2,205.70</b>
<b>Consultants</b>				
		Consultants		2,210.30
		<b>Total Consultants</b>		<b>2,210.30</b>
<b>Reimbursable Expenses</b>				
		Travel & Mileage		448.81
		Other Direct Reimb Expenses		13.83
		<b>Total Reimbursables</b>		<b>462.64</b>
		<b>Total this Phase:</b>		<b>\$4,878.64</b>
		<b>Total this Invoice</b>		<b>\$4,878.64</b>

# DANIELLS PHILLIPS VAUGHAN & BOCK

*CPAs & Advisors  
300 New Stine Road  
Bakersfield, CA 93309  
(661) 834-7411  
Federal Tax ID. No. 95-2972229*

*Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue, Tower B 2nd Floor  
Bakersfield, CA 93309*

*Invoice No. 127528  
Date 09/30/2022  
Client No. 02114*

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-- ACCOUNTING & AUDITING SERVICES --

Progress billing for work to date in connection with audit  
for the year ended June 30, 2022;

\$ 2,000.00

Make all checks payable to **DANIELLS PHILLIPS VAUGHAN & BOCK**  
Pay by card online at <https://www.dpvb.com/online-payment/>

*All Accounts are due and payable upon receipt of invoice.  
A finance charge of 1% (12% apr) will be charged on past due accounts. Thank you.*

UNITED STATES DEPARTMENT OF THE INTERIOR  
DOWN PAYMENT (BILL) REQUEST

Make Remittance Payable To: U.S. Geological Survey  
Billing Contact: Helen Houston Phone: 775-887-7605;  
hhouston@usgs.gov

Bill #: 90995652  
Customer: 600007725  
Date: 07/15/2022  
Due Date: 09/13/2022

Remit Payment To: United States Geological Survey  
P.O. Box 6200-27  
Portland, OR 97228-6200

Payer: CUYAMA BASIN GROUNDWATER  
SUSTAINABILITY  
AGENCY  
4900 CALIFORNIA AVE, TOWER B, 2ND FL  
BAKERSFIELD CA 93309

Additional forms of payment may be accepted. Please email GS-A-HQ\_RMS@USGS.GOV or call 703-648-7683 for additional information.

To pay through Pay.gov go to <https://www.pay.gov>.

Checks must be made payable to U.S. Geological Survey. Please detach the top portion or include bill number on all remittances.

Amount of Payment: \$ \_\_\_\_\_

Date	Description	Qty	Unit Price		Amount
			Cost	Per	
07/15/2022	Quarterly bill for joint funding agreement 21ZGJFA07725. USGS POC: Ben Glass, 805-928-9539 Cooperator POC: Taylor Blakslee, 661-477-3385 Bill Issue Date      Period Covered 04/21/2022      10/01/2021 # 12/31/2022 04/21/2022      01/01/2022 # 03/31/2022 07/14/2022      04/01/2022 # 06/30/2022 09/08/2022      07/01/2022 # 09/30/2022  21ZGJFA07725	1	19,725.00	1	19,725.00

Amount Due this Bill: 19,725.00

Accounting Classification:  
Sales Order: 99790  
Sales Office: GWZG  
Customer: 600007725  
Accounting #: 11265554

TIN: \*\*\*\*\*7328

UNITED STATES DEPARTMENT OF THE INTERIOR  
DOWN PAYMENT (BILL) REQUEST

Make Remittance Payable To: U.S. Geological Survey  
Billing Contact: Helen Houston Phone: 775-887-7605;  
hhouston@usgs.gov

Bill #: 91010735  
Customer: 6000007725  
Date: 09/08/2022  
Due Date: 11/07/2022

Remit Payment To: United States Geological Survey  
P.O. Box 6200-27  
Portland, OR 97228-6200

Payer: CUYAMA BASIN GROUNDWATER  
SUSTAINABILITY  
AGENCY  
4900 CALIFORNIA AVE, TOWER B, 2ND FL  
BAKERSFIELD CA 93309

Additional forms of payment may be accepted. Please email GS-A-HQ\_RMS@USGS.GOV or call 703-648-7683 for additional information.

To pay through Pay.gov go to <https://www.pay.gov>.

Checks must be made payable to U.S. Geological Survey. Please detach the top portion or include bill number on all remittances.

Amount of Payment: \$ \_\_\_\_\_

Date	Description	Qty	Unit Price		Amount
			Cost	Per	
09/08/2022	Quarterly bill for joint funding agreement 21ZGJFA07725. USGS POC: Ben Glass, 805-928-9539 Cooperator POC: Taylor Blakslee, 661-477-3385 Bill Issue Date      Period Covered 04/21/2022    10/01/2021 # 12/31/2022 04/21/2022    01/01/2022 # 03/31/2022 07/14/2022    04/01/2022 # 06/30/2022 09/08/2022    07/01/2022 # 09/30/2022  21ZGJFA07725	1	19,725.00	1	19,725.00

Amount Due this Bill: 19,725.00

Accounting Classification:  
Sales Order: 99790  
Sales Office: GWZG  
Customer: 6000007725  
Accounting #: 11282793

TIN: \*\*\*\*\*7328



455 W. Fir Avenue  
 Clovis, CA 93611  
 (559) 449-2700  
 Fax (559) 449-2715



Cuyama GSA  
 4900 California Ave., Tower B, 2nd Floor  
 Bakersfield, CA 93309

August 24, 2022  
 Project No: 03930-21-002  
 Invoice No: 94501

**Project Name: CBGSA - Groundwater Level Monitoring (WY 2022)**

**Client Project #:**

**Phase LVL:** 3rd Quarter Cuyama Water Level Field activities, Well Owner contact and scheduling, Field Data Documentation, Project management tasks.

**Professional Services from July 1, 2022 to July 31, 2022**

Phase: LVL Groundwater Level Monitoring

**Labor**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Assistant Technician	3.50	75.00	262.50	
Associate Envir. Spec	27.20	133.00	3,617.60	
Associate Technician	36.00	125.00	4,500.00	
Associate GIS Specailist	10.40	127.00	1,320.80	
Travel Time	10.00	80.00	800.00	
Totals	87.10		10,500.90	
<b>Total Labor</b>				<b>10,500.90</b>

**Reimbursable Expenses**

Travel & Mileage			552.72	
Other Direct Reimb Expenses			26.31	
<b>Total Reimbursables</b>			<b>579.03</b>	<b>579.03</b>

**Total this Phase: \$11,079.93**

**Total this Invoice: \$11,079.93**

Project 03930-21-002 Groundwater Level Monitoring (WY 2022) Invoice 94501

# Billing Backup

Wednesday, August 24, 2022

Provost & Pritchard Consulting Group

Invoice 94501 Dated 8/24/2022

12:13:28 PM

Phase: LVL Groundwater Level Monitoring

## Labor

			Hours	Rate	Amount
Assistant Technician					
1020 - Dutra, Austin	7/15/2022		3.50	75.00	262.50
Associate Envir. Spec					
1153 - Vander Schuur, Jon	7/6/2022		1.00	133.00	133.00
1153 - Vander Schuur, Jon	7/7/2022		4.00	133.00	532.00
1153 - Vander Schuur, Jon	7/8/2022		2.60	133.00	345.80
1153 - Vander Schuur, Jon	7/11/2022		1.50	133.00	199.50
1153 - Vander Schuur, Jon	7/12/2022		4.00	133.00	532.00
1153 - Vander Schuur, Jon	7/13/2022		4.50	133.00	598.50
1153 - Vander Schuur, Jon	7/14/2022		1.10	133.00	146.30
1153 - Vander Schuur, Jon	7/15/2022		4.50	133.00	598.50
1153 - Vander Schuur, Jon	7/29/2022		4.00	133.00	532.00
Associate Technician					
1172 - Melcher, Philip	7/8/2022		4.00	125.00	500.00
1172 - Melcher, Philip	7/13/2022		10.50	125.00	1,312.50
1172 - Melcher, Philip	7/14/2022		13.50	125.00	1,687.50
1172 - Melcher, Philip	7/15/2022		8.00	125.00	1,000.00
Associate GIS Specailist					
1296 - Thompson, Mark	7/6/2022		1.60	127.00	203.20
1296 - Thompson, Mark	7/7/2022		2.10	127.00	266.70
1296 - Thompson, Mark	7/8/2022		2.00	127.00	254.00
1296 - Thompson, Mark	7/11/2022		1.80	127.00	228.60
1296 - Thompson, Mark	7/12/2022		.70	127.00	88.90
1296 - Thompson, Mark	7/13/2022		1.30	127.00	165.10
1296 - Thompson, Mark	7/15/2022		.30	127.00	38.10
1296 - Thompson, Mark	7/25/2022		.60	127.00	76.20
Travel Time					
40 - Dutra, Austin	7/13/2022		2.50	80.00	200.00
40 - Dutra, Austin	7/15/2022		2.50	80.00	200.00
40 - Melcher, Philip	7/13/2022		2.50	80.00	200.00
40 - Melcher, Philip	7/15/2022		2.50	80.00	200.00
Totals			87.10		10,500.90
<b>Total Labor</b>					<b>10,500.90</b>

## Reimbursable Expenses

### Travel & Mileage

MI 000000000005 7/31/2022 2018 Ford F150 - P. Melcher / 7/18/22 769 miles @ \$0.625 per mile 552.72

### Other Direct Reimb Expenses

AP 52498 7/20/2022 ☐ Austin Dutra / 07/13/22 Meal / Invoice: 071522, 7/15/2022 9.65

AP 52498 7/20/2022 ☐ Austin Dutra / 07/14/22 Meal / Invoice: 071522, 7/15/2022 16.66

**Total Reimbursables 579.03 579.03**

**Total this Phase: \$11,079.93**

**Total this Project: \$11,079.93**

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Project	03930-21-002	Groundwater Level Monitoring (WY 2022)	Invoice	94501
			<b>Total this Report</b>	<b>\$11,079.93</b>

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Jacob's 24 Hour Burgers  
401 Kern St  
Taft CA 93268  
661-769-9600

Jacob's 24 Hour Burgers  
401 Kern St  
Taft CA 93268  
661-769-9600

Server: Cashier                      DOB: 07/14/2022  
06:19 PM                              07/14/2022  
ORDER #87/1                          1/10067

Server: Cashier                      DOB: 07/13/2022  
06:09 PM                              07/13/2022  
ORDER #74/1                          1/10061

SALE

SALE

MasterCard                           1048639  
Card #XXXXXXXXXXXX8107  
Magnetic card present: Yes  
Card Entry Method: S

MasterCard                           1048637  
Card #XXXXXXXXXXXX8107  
Magnetic card present: Yes  
Card Entry Method: S

Approval: 005318

Approval: 051346

Amount:                              \$ 14.49

Amount:                              \$ 8.39

+ Tip: \_\_\_\_\_

+ Tip: \_\_\_\_\_

= Total: \_\_\_\_\_

= Total: \_\_\_\_\_

I agree to pay the above  
total amount according to the  
card issuer agreement.

I agree to pay the above  
total amount according to the  
card issuer agreement.

X \_\_\_\_\_

X \_\_\_\_\_

Thank You  
Come Again  
Happy Holidays

Thank You  
Come Again  
Happy Holidays

Customer Copy

Customer Copy



TO: Board of Directors  
Agenda Item No. 7

FROM: Taylor Blakslee, Hallmark Group

DATE: November 2, 2022

SUBJECT: Approval of Financial Reports for August and September 2022

**Recommended Motion**

Approve financial reports for August and September 2022.

**Discussion**

The Cuyama Basin Groundwater Sustainability Agency's financial reports for August and September 2022 are provided as Attachment 1.

The reports include:

- Statement of Financial Position
- Receipts and Disbursements
- A/R Aging Summary
- A/P Aging Summary
- Statement of Operations with Budget Variance
- 2022/2023 Operating Budget



# **Cuyama Basin GSA**

## **Financial Statements August 2022**

**CUYAMA BASIN GSA**  
**Statement of Financial Position**  
As of August 31, 2022

	Aug 31, 22	Aug 31, 21	\$ Change	% Change
<b>ASSETS</b>				
Current Assets				
Checking/Savings				
Chase - General Checking	1,952,433	1,536,479	415,954	27%
Total Checking/Savings	1,952,433	1,536,479	415,954	27%
Accounts Receivable				
Accounts Receivable	99,455	98,871	584	1%
Total Accounts Receivable	99,455	98,871	584	1%
Other Current Assets				
Grant Retention Receivable	0	255,470	-255,470	-100%
Total Other Current Assets	0	255,470	-255,470	-100%
Total Current Assets	2,051,888	1,890,820	161,068	9%
<b>TOTAL ASSETS</b>	<b>2,051,888</b>	<b>1,890,820</b>	<b>161,068</b>	<b>9%</b>
<b>LIABILITIES &amp; EQUITY</b>				
Liabilities				
Current Liabilities				
Accounts Payable				
Accounts Payable	390,275	151,856	238,418	157%
Total Accounts Payable	390,275	151,856	238,418	157%
Total Current Liabilities	390,275	151,856	238,418	157%
Total Liabilities	390,275	151,856	238,418	157%
Equity				
Unrestricted Net Assets				
Net Income	912,912	763,431	149,481	20%
Total Equity	748,701	975,533	-226,832	-23%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>2,051,888</b>	<b>1,890,820</b>	<b>161,068</b>	<b>9%</b>



**CUYAMA BASIN GSA**  
**Receipts and Disbursements**  
As of August 31, 2022

Type	Date	Num	Name	Debit	Credit
<b>Chase - General Checking</b>					
Bill Pmt -Check	07/06/2022	1108	HGCPM, Inc.		56,982.88
Bill Pmt -Check	07/06/2022	1109	Klein DeNatale Goldner		14,654.61
Bill Pmt -Check	07/06/2022	1110	Woodard & Curran Inc		186,637.84
Payment	07/07/2022	2093	Groundwater Extraction Fees:Tri-County Pistachios	34,654.10	
Payment	07/07/2022	4157	Groundwater Extraction Fees:Sunrise Olive Ranch, LLC	73,140.12	
Payment	07/07/2022	20526	Groundwater Extraction Fees:Cuyama Orchards, Inc	36,720.05	
Payment	07/07/2022	3031	Groundwater Extraction Fees:Harrington Farms	4,218.00	
Payment	08/02/2022	655	Groundwater Extraction Fees:Lewis, David	1,624.12	
Payment	08/12/2022	1002107539	Groundwater Extraction Fees:Cuyama Orchards, Inc	175.56	
Payment	08/12/2022	501659	Groundwater Extraction Fees:E & B Natural Resources Mgmt Corp	874.47	
Payment	08/30/2022	167	Groundwater Extraction Fees:Lee, Jennifer	3,444.38	
Deposit	08/30/2022			9.06	
Total Chase - General Checking				154,859.86	258,275.33
<b>TOTAL</b>				<b>154,859.86</b>	<b>258,275.33</b>

**CUYAMA BASIN GSA**  
**A/R Aging Summary**  
 As of August 31, 2022

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
Grimmway	219	0	0	0	0	219
<b>Groundwater Extraction Fees</b>						
Cuyama Dairy Farm	0	0	0	0	35,145	35,145
Cuyama Orchards, Inc	343	0	343	343	41,112	42,140
Lear Real Estate Ent LLC	0	0	0	0	21,951	21,951
<b>Total Groundwater Extraction Fees</b>	<u>343</u>	<u>0</u>	<u>343</u>	<u>343</u>	<u>98,208</u>	<u>99,236</u>
<b>TOTAL</b>	<u><u>562</u></u>	<u><u>0</u></u>	<u><u>343</u></u>	<u><u>343</u></u>	<u><u>98,208</u></u>	<u><u>99,455</u></u>

**CUYAMA BASIN GSA**  
**A/P Aging Summary**  
As of August 31, 2022

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	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
HGCPM, Inc.	40,659	0	23,257	25,452	0	89,368
Klein DeNatale Goldner	5,074	0	14,596	4,163	0	23,833
Provost & Pritchard Consulting Group	18,266	0	11,080	0	0	29,346
U.S. Geological Survey	0	0	19,725	0	0	19,725
Woodard & Curran Inc	76,970	0	77,499	73,533	0	228,002
<b>TOTAL</b>	<b><u>140,969</u></b>	<b><u>0</u></b>	<b><u>146,157</u></b>	<b><u>103,148</u></b>	<b><u>0</u></b>	<b><u>390,275</u></b>

# CUYAMA BASIN GSA

## Statement of Operations with Budget Variance

July through August 2022

	Jul - Aug 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>Direct Public Funds</b>				
Groundwater Extraction Fees	1,034,916	1,064,000	-29,084	97%
GWE Late Fees	683	0	683	100%
<b>Total Direct Public Funds</b>	1,035,599	1,064,000	-28,401	97%
<b>Total Income</b>	1,035,599	1,064,000	-28,401	97%
<b>Cost of Goods Sold</b>				
<b>Program Expenses</b>				
<b>Technical Consulting</b>				
Monitoring Network Enhancements	12,890	20,800	-7,910	62%
GSP Implementation - W&C	35,245	45,800	-10,555	77%
Stakeholder Engagement	32,382	18,170	14,212	178%
Monitoring Network - P&P/USGS	49,071	48,750	321	101%
Technical Support for DWR	0	3,340	-3,340	0%
Outreach	0	6,137	-6,137	0%
Grant Administration	5,770	16,600	-10,830	35%
Basin Water Use Surveys	29,829	25,800	4,029	116%
Project & Mgmt Action Impl	38,354	37,600	754	102%
<b>Total Technical Consulting</b>	203,540	222,997	-19,457	91%
<b>Total Program Expenses</b>	203,540	222,997	-19,457	91%
<b>Total COGS</b>	203,540	222,997	-19,457	91%
<b>Gross Profit</b>	832,059	841,003	-8,944	99%
<b>Expense</b>				
<b>General and Administrative</b>				
<b>GSA Executive Director</b>				
GSA BOD Meetings	20,781	18,565	2,216	112%
Consult Mgmt and GSP Devel	12,881	12,224	657	105%
Financial Information Coor	7,700	8,557	-857	90%
Support for DWR/Public Comments	175	3,037	-2,862	6%
Funding Process (GWE Fee)	3,244	928	2,316	350%
CBGSA Outreach	7,700	1,790	5,910	430%
Adjudication Support	775	324	451	239%
Management Area Admin	4,288	1,958	2,330	219%
Travel and Direct Costs	6,144	950	5,194	647%
<b>Total GSA Executive Director</b>	63,688	48,333	15,355	132%
<b>Other Administrative</b>				
Legal	19,670	16,700	2,970	118%
Grant Proposals.	0	7,000	-7,000	0%
Contingency	0	5,000	-5,000	0%
<b>Total Other Administrative</b>	19,670	28,700	-9,030	69%
<b>Total General and Administrative</b>	83,358	77,033	6,325	108%
<b>Total Expense</b>	83,358	77,033	6,325	108%
<b>Net Ordinary Income</b>	748,701	763,970	-15,269	98%
<b>Net Income</b>	<b>748,701</b>	<b>763,970</b>	<b>-15,269</b>	<b>98%</b>

**CUYAMA BASIN GSA**  
**2022/2023 Operating Budget**  
 July 2022 through June 2023

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	<b>Jul '22 - Jun 23</b>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Direct Public Funds</b>	
Groundwater Extraction Fees	1,064,000
Grant Reimbursements	3,731,550
<b>Total Direct Public Funds</b>	4,795,550
<b>Total Income</b>	4,795,550
<b>Cost of Goods Sold</b>	
<b>Program Expenses</b>	
<b>Technical Consulting</b>	
Monitoring Network Enhancements	125,000
GSP Implementation - W&C	275,000
Stakeholder Engagement	109,000
Monitoring Network - P&P/USGS	137,500
Technical Support for DWR	20,000
Outreach	36,667
Grant Administration	100,000
Basin Water Use Surveys	155,000
Project & Mgmt Action Impl	226,000
<b>Total Technical Consulting</b>	1,184,167
<b>Total Program Expenses</b>	1,184,167
<b>Total COGS</b>	1,184,167
<b>Gross Profit</b>	3,611,383
<b>Expense</b>	
<b>General and Administrative</b>	
<b>GSA Executive Director</b>	
GSA BOD Meetings	111,395
Consult Mgmt and GSP Devel	73,351
Financial Information Coor	51,357
Support for DWR/Public Comments	18,217
Funding Process (GWE Fee)	5,562
CBGSA Outreach	10,721
Adjudication Support	1,935
Management Area Admin	11,768
Travel and Direct Costs	5,694
<b>Total GSA Executive Director</b>	290,000
<b>Other Administrative</b>	
Legal	100,000
Insurance - D&O and General	14,000
Auditing/Accounting Fees	9,800
Grant Proposals.	42,000
Other Admin Expense	200
Contingency	20,000
<b>Total Other Administrative</b>	186,000
<b>Total General and Administrative</b>	476,000
<b>Total Expense</b>	476,000
<b>Net Ordinary Income</b>	3,135,383
<b>Net Income</b>	3,135,383



# **Cuyama Basin GSA**

## **Financial Statements September 2022**

**CUYAMA BASIN GSA**  
**Statement of Financial Position**  
As of September 30, 2022

	Sep 30, 22	Sep 30, 21	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
Chase - General Checking	1,733,933	1,547,984	185,949	12%
<b>Total Checking/Savings</b>	1,733,933	1,547,984	185,949	12%
<b>Accounts Receivable</b>				
Accounts Receivable	1,099,797	172,179	927,618	539%
<b>Total Accounts Receivable</b>	1,099,797	172,179	927,618	539%
<b>Other Current Assets</b>				
Grant Retention Receivable	0	246,491	-246,491	-100%
<b>Total Other Current Assets</b>	0	246,491	-246,491	-100%
<b>Total Current Assets</b>	2,833,730	1,966,654	867,076	44%
<b>TOTAL ASSETS</b>	<b>2,833,730</b>	<b>1,966,654</b>	<b>867,076</b>	<b>44%</b>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Accounts Payable</b>				
Accounts Payable	310,273	228,540	81,734	36%
<b>Total Accounts Payable</b>	310,273	228,540	81,734	36%
<b>Total Current Liabilities</b>	310,273	228,540	81,734	36%
<b>Total Liabilities</b>	310,273	228,540	81,734	36%
<b>Equity</b>				
<b>Unrestricted Net Assets</b>	912,912	763,431	149,481	20%
<b>Net Income</b>	1,610,544	974,683	635,861	65%
<b>Total Equity</b>	2,523,457	1,738,114	785,342	45%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>2,833,730</b>	<b>1,966,654</b>	<b>867,076</b>	<b>44%</b>

**CUYAMA BASIN GSA**  
**Receipts and Disbursements**  
**As of September 30, 2022**

88

Type	Date	Num	Name	Debit	Credit
<b>Chase - General Checking</b>					
Bill Pmt -Check	07/06/2022	1108	HGCPM, Inc.		56,982.88
Bill Pmt -Check	07/06/2022	1109	Klein DeNatale Goldner		14,654.61
Bill Pmt -Check	07/06/2022	1110	Woodard & Curran Inc		186,637.84
Payment	07/07/2022	2093	Groundwater Extraction Fees:Tri-County Pistachios	34,654.10	
Payment	07/07/2022	4157	Groundwater Extraction Fees:Sunrise Olive Ranch, LLC	73,140.12	
Payment	07/07/2022	20526	Groundwater Extraction Fees:Cuyama Orchards, Inc	36,720.05	
Payment	07/07/2022	3031	Groundwater Extraction Fees:Harrington Farms	4,218.00	
Payment	08/02/2022	655	Groundwater Extraction Fees:Lewis, David	1,624.12	
Payment	08/12/2022	1002107539	Groundwater Extraction Fees:Cuyama Orchards, Inc	175.56	
Payment	08/12/2022	501659	Groundwater Extraction Fees:E & B Natural Resources Mgmt Corp	874.47	
Payment	08/30/2022	167	Groundwater Extraction Fees:Lee, Jennifer	3,444.38	
Deposit	08/30/2022			9.06	
Bill Pmt -Check	09/07/2022	1111	HGCPM, Inc.		48,709.28
Bill Pmt -Check	09/07/2022	1112	Klein DeNatale Goldner		18,759.40
Bill Pmt -Check	09/07/2022	1113	Woodard & Curran Inc		151,031.80
Total Chase - General Checking				154,859.86	476,775.81
<b>TOTAL</b>				<b>154,859.86</b>	<b>476,775.81</b>



**CUYAMA BASIN GSA**  
**A/R Aging Summary**  
As of September 30, 2022

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Grimmway	0	219	0	0	0	219
Department of Water Resources	1,000,000	0	0	0	0	1,000,000
<b>Groundwater Extraction Fees</b>						
Cuyama Dairy Farm	0	0	0	0	35,145	35,145
Cuyama Orchards, Inc	343	343	0	343	41,455	42,483
Lear Real Estate Ent LLC	0	0	0	0	21,951	21,951
<b>Total Groundwater Extraction Fees</b>	343	343	0	343	98,551	99,579
<b>TOTAL</b>	<b>1,000,343</b>	<b>562</b>	<b>0</b>	<b>343</b>	<b>98,551</b>	<b>1,099,797</b>

**CUYAMA BASIN GSA**  
**A/P Aging Summary**  
As of September 30, 2022

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	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Daniells Phillips Vaughan & Bock	2,000	0	0	0	0	2,000
HGCPM, Inc.	25,661	40,659	0	0	0	66,320
Klein DeNatale Goldner	15,510	5,074	0	0	0	20,584
Provost & Pritchard Consulting Group	4,879	18,266	0	11,080	0	34,225
U.S. Geological Survey	0	19,725	0	19,725	0	39,450
Woodard & Curran Inc	70,725	76,970	0	0	0	147,695
<b>TOTAL</b>	<b>118,774</b>	<b>160,694</b>	<b>0</b>	<b>30,805</b>	<b>0</b>	<b>310,273</b>

# CUYAMA BASIN GSA

## Statement of Operations with Budget Variance

### July through September 2022

	Jul - Sep 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>Direct Public Funds</b>				
Groundwater Extraction Fees	1,034,916	1,064,000	-29,084	97%
Grant Reimbursements	1,000,000	1,015,575	-15,575	98%
GWE Late Fees	1,026	0	1,026	100%
<b>Total Direct Public Funds</b>	<u>2,035,942</u>	<u>2,079,575</u>	<u>-43,633</u>	<u>98%</u>
<b>Total Income</b>	<u>2,035,942</u>	<u>2,079,575</u>	<u>-43,633</u>	<u>98%</u>
<b>Cost of Goods Sold</b>				
<b>Program Expenses</b>				
<b>Technical Consulting</b>				
Monitoring Network Enhancements	27,950	31,220	-3,270	90%
GSP Implementation - W&C	35,655	68,720	-33,065	52%
Stakeholder Engagement	45,287	27,255	18,032	166%
Monitoring Network - P&P/USGS	73,675	103,750	-30,075	71%
Technical Support for DWR	0	5,010	-5,010	0%
Outreach	2,711	9,217	-6,506	29%
Grant Administration	10,954	24,900	-13,946	44%
Basin Water Use Surveys	30,521	38,720	-8,199	79%
Project & Mgmt Action Impl	72,116	56,400	15,716	128%
<b>Total Technical Consulting</b>	<u>298,869</u>	<u>365,192</u>	<u>-66,323</u>	<u>82%</u>
<b>Total Program Expenses</b>	<u>298,869</u>	<u>365,192</u>	<u>-66,323</u>	<u>82%</u>
<b>Total COGS</b>	<u>298,869</u>	<u>365,192</u>	<u>-66,323</u>	<u>82%</u>
<b>Gross Profit</b>	<u>1,737,073</u>	<u>1,714,383</u>	<u>22,690</u>	<u>101%</u>
<b>Expense</b>				
<b>General and Administrative</b>				
<b>GSA Executive Director</b>				
GSA BOD Meetings	32,944	27,848	5,096	118%
Consult Mgmt and GSP Devel	18,131	18,336	-205	99%
Financial Information Coord	10,256	12,837	-2,581	80%
Support for DWR/Public Comments	263	4,555	-4,293	6%
Funding Process (GWE Fee)	3,375	1,392	1,983	242%
CBGSA Outreach	8,519	2,684	5,835	317%
Adjudication Support	1,388	486	902	285%
Management Area Admin	7,663	2,939	4,724	261%
Travel and Direct Costs	6,811	1,425	5,386	478%
<b>Total GSA Executive Director</b>	<u>89,348</u>	<u>72,502</u>	<u>16,846</u>	<u>123%</u>
<b>Other Administrative</b>				
Legal	35,180	25,050	10,130	140%
Auditing/Accounting Fees	2,000	0	2,000	100%
Grant Proposals.	0	10,500	-10,500	0%
Contingency	0	5,000	-5,000	0%
<b>Total Other Administrative</b>	<u>37,180</u>	<u>40,550</u>	<u>-3,370</u>	<u>92%</u>
<b>Total General and Administrative</b>	<u>126,529</u>	<u>113,052</u>	<u>13,477</u>	<u>112%</u>
<b>Total Expense</b>	<u>126,529</u>	<u>113,052</u>	<u>13,477</u>	<u>112%</u>
<b>Net Ordinary Income</b>	<u>1,610,544</u>	<u>1,601,331</u>	<u>9,213</u>	<u>101%</u>
<b>Net Income</b>	<u><u>1,610,544</u></u>	<u><u>1,601,331</u></u>	<u><u>9,213</u></u>	<u><u>101%</u></u>

**CUYAMA BASIN GSA**  
**2022/2023 Operating Budget**  
 July 2022 through June 2023

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	<u>Jul '22 - Jun 23</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Direct Public Funds</b>	
Groundwater Extraction Fees	1,064,000
Grant Reimbursements	3,731,550
<b>Total Direct Public Funds</b>	4,795,550
<b>Total Income</b>	4,795,550
<b>Cost of Goods Sold</b>	
<b>Program Expenses</b>	
<b>Technical Consulting</b>	
Monitoring Network Enhancements	125,000
GSP Implementation - W&C	275,000
Stakeholder Engagement	109,000
Monitoring Network - P&P/USGS	137,500
Technical Support for DWR	20,000
Outreach	36,667
Grant Administration	100,000
Basin Water Use Surveys	155,000
Project & Mgmt Action Impl	226,000
<b>Total Technical Consulting</b>	1,184,167
<b>Total Program Expenses</b>	1,184,167
<b>Total COGS</b>	1,184,167
<b>Gross Profit</b>	3,611,383
<b>Expense</b>	
<b>General and Administrative</b>	
<b>GSA Executive Director</b>	
GSA BOD Meetings	111,395
Consult Mgmt and GSP Devel	73,351
Financial Information Coor	51,357
Support for DWR/Public Comments	18,217
Funding Process (GWE Fee)	5,562
CBGSA Outreach	10,721
Adjudication Support	1,935
Management Area Admin	11,768
Travel and Direct Costs	5,694
<b>Total GSA Executive Director</b>	290,000
<b>Other Administrative</b>	
Legal	100,000
Insurance - D&O and General	14,000
Auditing/Accounting Fees	9,800
Grant Proposals.	42,000
Other Admin Expense	200
Contingency	20,000
<b>Total Other Administrative</b>	186,000
<b>Total General and Administrative</b>	476,000
<b>Total Expense</b>	476,000
<b>Net Ordinary Income</b>	3,135,383
<b>Net Income</b>	3,135,383



TO: Board of Directors  
Agenda Item No. 8

FROM: Taylor Blakslee, Hallmark Group

DATE: November 2, 2022

SUBJECT: Approval of 2023 Meeting Schedule

**Recommended Motion**

Approve the 2023 Groundwater Sustainability Agency Board of Directors and Standing Advisory Committee meetings schedule provided in Agenda Item No. 8.

**Discussion**

The proposed Cuyama Basin Groundwater Sustainability Agency (CBGSA) Board of Directors and Standing Advisory Committee (SAC) meeting calendar for 2023 is provided as Attachment 1 for consideration of approval.

## Cuyama Basin Groundwater Sustainability Agency Draft 2023 Meeting Calendar

BOD

SAC

Holiday

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



TO: Board of Directors  
Agenda Item No. 9

FROM: Jim Beck / Joe Hughes

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on Central Management Area Policy Considering Wells In/Out of the CMA

**Recommended Motion**

Approve Central Management Area Policy Considering Wells In/Out of the CMA.

**Discussion**

During the September 7, 2022, Board meeting, the issue of Farming Units was raised in the context of the draft Central Management Area (CMA) Administrative Policy as well as brought up in several variance requests received by the September 1, 2022, deadline.

The Board directed staff to develop a policy to address the issue of wells in/out of the CMA serving lands in/out of the CMA and a draft policy is provided as Attachment 1 for consideration of approval.

This draft policy was reviewed and recommended by the CMA Policy ad hoc on September 29, 2022.

## DRAFT

### CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

#### Draft Overarching Policy for Wells Inside and Outside the Central Management Area

##### Policy Purpose

This policy is to address lands outside the Central Management Area (CMA) that have historically been served by wells inside the CMA where pumping reductions are being implemented in the CMA for 2023 and 2024. This policy is intended to address this issue through 2024 and will be reconsidered during the 2025 Groundwater Sustainability Plan update.

##### Definitions

CMA. Central Management Area.

Farming Unit. Grouping of two or more parcels of land which is under the ownership or control (by lease or otherwise) of a single water user which includes CMA land and may include non-CMA land provided that the lands are served by a common irrigation system.

##### Overarching Policy

The overarching policy is lands outside the CMA cannot be served by wells inside the CMA, and lands inside the CMA cannot be served by wells outside the CMA. However, an ***exclusion*** to the overarching policy may be granted to lands that are part of a “Farming Unit” that extend inside and outside the CMA, provided that the lands outside the CMA conform to the water requirements of lands inside the CMA (Farming Units must apply for this exclusion).

##### Policy Implementation

Implementation of this policy will be administered in the following manner:

1. Notice of this policy will be sent to all landowners in the CMA via mail and email (if available).
2. Landowners/operators that plan to submit a Farming Unit request must:
  - a. Provide documentation to staff to support request.
  - b. Submit Farming Unit Request Form signed by ***both*** the landowner and the operator (if applicable)
  - c. Landowner and operator to sign GSA agreement acknowledging CMA rules.
3. Staff to approve Farming Unit Requests.
4. Staff to update sustainable yield and historic average use calculations to determine allocation and maximum annual pumping for 2023 and 2024 that includes the CMA and additional lands within Farming Units.
5. Final allocations to be distributed to CMA landowners on January 13, 2023 (two Fridays after the January Board meeting).





TO: Board of Directors  
Agenda Item No. 10

FROM: Jim Beck / Joe Hughes

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on CMA Variance Requests

**Recommended Motion**

Board feedback requested.

**Discussion**

On July 6, 2022, the Cuyama Basin Groundwater Sustainability Agency adopted a variance process for 2023 and 2024 Central Management Area water allocations. Variance Request Forms were due on September 1, 2022, and the Management Area Policy Ad hoc met on September 29, 2022 to review and develop recommendations for each of the eight Variance Request Forms submitted by landowners.

On October 13, 2022, Duncan Family Farms/Aguila G-Boys submitted a variance request (after the September 1, 2022 deadline), and while staff and the ad hoc have not reviewed this variance form, staff is looking for feedback from the Board on how to proceed with their request.

A background on the variance requests, overview of the review process, and ad hoc recommendations on the variance requests are provided as Attachment 1. The Variance Request Forms are included as Attachment 2.

Cuyama Basin Groundwater Sustainability Agency

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# 10. Discussion and Appropriate Action on CMA Variance Requests

Jim Beck / Joe Hughes

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November 2, 2022



# Background

- On July 6, 2022, the CBGSA Board approved a CMA allocation variance process
- Eight (8) Variance Request Forms were received by the September 1, 2022, deadline and one additional request was received after the deadline (not reviewed by ad hoc)
- The Board directed staff and an ad hoc to review variance requests to develop a recommendation for review at the November 2, 2022, Board meeting

# Variance Requests Received

1. Kern Ridge Growers LLC
2. Sunrise Ranch Properties LLC
3. Grimmway Farms
4. Hoekstra Family Trust “Cuyama Dairy”
5. Bolthouse Farms, Inc. / Bolthouse Land Company, LLC
6. Jason M. & Mary Jo Harrington Revocable Living Trust
7. David G. Lewis
8. Slumskie Family Trust, dated April 9, 1996
9. Duncan Family Farms / Aguila G-Boys ← *received after the Sep 1, 2022, deadline*

# Review Process

1. Staff performed a detailed, individual review of each eight variance requests and then met together to review each variance request on a point-by-point basis
2. The CMA Policy Ad hoc met on September 29, 2022, to review the eight variance requests and spent significant time reviewing/considering each variance request to develop a recommendation for Board consideration
4. The Board may approve or deny a variance request at the November 2, 2022, Board meeting. Any such approval may be conditioned by the Board as it deems appropriate
5. If the Board approves the variance request, staff will update the entire CMA allocation and distribute updated allocations to all landowners by December 1, 2022 (\*tentative)

# General Issues Raised in the Variance Requests

- “Farming Unit” issue – *being addressed in a separate policy*
- Incorrect well data – *staff is aware the wrong well file was inadvertently included on the CMA map and does not reflect the user-reported well data staff maintains*
- Request to use actual pumping for historic use in determining the allocation percentages
- Broaden the historic use period
- Request to be removed from CMA due to data gaps, etc.
- Some parcels inappropriately assigned an allocation (e.g., in the river channel)
- Parcels assigned an allocation with no ability for beneficial use
- Address potential basin-wide allocations before CMA pumping reductions
- Issues with the model
- Request for increases to maximum annual pumping based on nearby, similar crops or cropping need
- Request to reevaluate the CMA boundary

# Variance Requests Ad hoc Recommendation <sup>103</sup>

VARIANCE REQUEST	AD HOC RECOMMENDATION
1 Kern Ridge Growers LLC	<ul style="list-style-type: none"><li>• Not reflective of Board Direction</li></ul>
2 Sunrise Ranch Properties LLC	<ul style="list-style-type: none"><li>• Policy being developed for Farming Unit issue</li><li>• Not reflective of Board Direction</li></ul>
3 Grimmway Farms	<ul style="list-style-type: none"><li>• Policy being developed for Farming Unit issue</li><li>• <b>For parcels potentially being inappropriately allocated water, staff to perform QA/QC and remove water from government and utility-owned lands if they don't use water. Send email/mail to CMA landowners to ask if other properties have not used water during the 1998-2017 period. Recalculate allocation percentages.</b></li></ul>
4 Hoekstra Family Trust "Cuyama Dairy"	<ul style="list-style-type: none"><li>• Policy being developed for Farming Unit issue</li></ul>
5 Bolthouse Farms, Inc. / Bolthouse Land Company, LLC	<ul style="list-style-type: none"><li>• Policy being developed for Farming Unit issue</li></ul>
6 Jason M. & Mary Jo Harrington Revocable Living Trust	<ul style="list-style-type: none"><li>• Not reflective of Board Direction</li><li>• <b>CMA policies to be formalized and posted on website</b></li></ul>
7 David G. Lewis	<ul style="list-style-type: none"><li>• Not reflective of Board Direction</li></ul>
8 Slumskie Family Trust, dated April 9, 1996	<ul style="list-style-type: none"><li>• Not reflective of Board Direction</li></ul>
9 Duncan Family Farms / Aguila G-Boys	<ul style="list-style-type: none"><li>• Received on October 13, 2022, after the September 1, 2022, deadline</li><li>• Not reviewed by staff or the ad hoc</li></ul>

# Variance Requests

- Board feedback requested





# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Submit this form, including a \$250 fee (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name: Kern Ridge Growers LLC

Date: 8/30/22

Phone: 661-809-1842

Email: veaster@kernridge.com

Assessor Parcel Number(s) (APN): 149-170-013  
149-170-017

**Please describe the basis for your request and attach any supporting documentation**

Please see ATTACHED supporting document

**Please describe the basis for your request and attach any supporting documentation**

Kern Ridge Growers (KRG) objects to, or in the alternative requests a variance from the “pumping reduction program” and curtailments proposed by the Cuyama Basin Groundwater Sustainability Agency (CBGSA) in its July 29, 2022 Notice of Central Management Area Policies and Landowner Requirements. KRG specifically objects to, or in the alternative requests a variance from the reductions and 2023 and 2024 pumping allocations assigned to KRG’s parcel number 149-170-013 (No. 352 on curtailment list) and parcel number 149-170-017 (No. 353 on curtailment list).

SGMA was not intended to and cannot alter or modify prior, established water rights. SGMA provides: “It is the intent of the Legislature to preserve the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater.” (Water Code § 10720.1.) Water Code Section 10720.5(b) further states that nothing in the SGMA legislation “determines or alters surface water rights or groundwater rights under common law or any provisions of law that determines or grants surface water rights.”

Curtailment of pumping by the CBGSA would therefore improper, illegal and unenforceable because the curtailment order necessarily attempts to determine or alter groundwater rights, and threatens the security of groundwater rights in the basin. A GSA additionally has no express or actual authority under SGMA, or otherwise, to limit or alter KRG’s exercise of its established groundwater rights.

The Notice also indicates that the pumping allocation “was determined using the average water use for each parcel over the 1998-2017 period.” The Notice indicates that the “water use estimates were determined by a model and a description of how those estimates were developed is also provided in the attached packet.”

Instead of using a “model,” the CBGSA should have used actual pumping data to determine actual water use for separate parcels in the basin. The pumping allocations of 460.55 acre-feet in 2023 and 441.7 acre-feet in 2024 for parcel number 149-170-013 and 189.94 acre-feet in 2023 and 181.8 acre-feet in 2024 for parcel number 149-170-017 understate and do not accurately reflect actual quantities of water extracted by KRG on those parcels.

The Notice should reflect the actual quantity of water pumped by KRG within the referenced parcels, and the actual extent of the water rights held by KRG for the affected parcels. The Notice should have also covered a broader time period, and a more current time period, instead of only relying on data from the 1998-2017 period. The largest quantity of water pumped by an overlying owner or pumper over time more accurately establishes and reflects the actual, enforceable water right held by the pumper or overlying owner.

Pumping records establish that the water rights associated with parcel number 149-170-013 have pumped a maximum amount of 678.85 acre-feet in a single year, in 2016, and the water rights associated with parcel number 149-170-017 have pumped a maximum amount of 318.88 acre-

feet in a single year, in 2017. Those amounts determine and establish KRG's right to pump groundwater on those parcels.

Accordingly, if the CBGSA does attempt to impose a reduction or curtailment of groundwater pumping on the parcels owned and utilized by KRG, at the very least the reduction should reduce KRG's actual water right amounts of 678.85 acre-feet for parcel number 149-170-013, and 318.88 acre-feet for parcel number 149-170-017.



Jacob Metz

T 213.626.8484  
F 213.626.0078  
E jmetz@rwglaw.com

350 South Grand Avenue  
37th Floor  
Los Angeles, CA 90071  
rwglaw.com

August 30, 2022

VIA OVERNIGHT DELIVERY & ELECTRONIC MAIL

Mr. Taylor Blakslee  
Groundwater Sustainability Agency Project Coordinator  
4900 California Avenue, Tower B, Suite 210  
Bakersfield, California 93309  
tblakslee@hgcpm.com

Re: Sunrise Ranch Properties, LLC's Variance Application

Dear Mr. Blakslee:

We represent Sunrise Ranch Properties, LLC (Sunrise Ranch). Enclosed please find Sunrise Ranch's Variance Application (and attachments), submitted in accordance with the variance process established by the Cuyama Basin Groundwater Sustainability Agency (CBGSA) Board of Directors on July 6, 2022. A hard copy is being delivered by overnight mail (along with a \$250.00 check) in addition to this copy being sent by electronic mail.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jacob Metz', written over a white background.

Jacob C. Metz

Enclosure(s)

13092-0002\2711631v1.doc



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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*Submit this form, including a \$250 fee (which may be reimbursed if corrections are due to inaccuracies with the CBGSA'S RECORDS), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.*

Name: Dan Devico, Michael Devico (Sunrise Ranch Properties, LLC)

Date: 8/30/2022

Phone: (323) 859-7402

Email: TO: [dan@pompeian.com](mailto:dan@pompeian.com), [michael.devico@sunriseoliveranch.com](mailto:michael.devico@sunriseoliveranch.com)  
CC: [stevej@stetsonengineers.com](mailto:stevej@stetsonengineers.com);  
[jeffh@stetsonengineers.com](mailto:jeffh@stetsonengineers.com); [biancac@stetsonengineers.com](mailto:biancac@stetsonengineers.com);  
[JMarkman@rwglaw.com](mailto:JMarkman@rwglaw.com); [TKim@rwglaw.com](mailto:TKim@rwglaw.com);  
[KBrochard@rwglaw.com](mailto:KBrochard@rwglaw.com); [JMetz@rwglaw.com](mailto:JMetz@rwglaw.com)

Assessor Parcel Number(s) (APN):

- 149-170-09	- 096-201-021
- 149-170-10	- 096-211-027
- 096-201-015	- 096-211-033
- 096-201-016	- 096-211-034
- 096-201-017	- 096-211-042
- 096-201-018	- 096-211-043
- 096-201-019	- 096-211-044
- 096-201-020	- 096-211-045

**Please describe the basis for your request and attach any supporting documentation:**

## OPENING STATEMENT

In compliance with the Sustainable Groundwater Management Act (SGMA), the Cuyama Basin Groundwater Sustainability Agency (CBGSA) submitted a Groundwater Sustainability Plan (GSP) to the California Department of Water Resources (DWR) in January 2020 and, in response to comments from DWR on the January 2020 GSP, submitted a revised GSP in July 2022. In order to implement the GSP, the CBGSA proposes



## VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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to implement a 5 percent reduction in groundwater pumping in the Central Management Area (CMA) in calendar year 2023 and an additional 5 percent reduction in calendar year 2024. No reductions or constraints on pumping outside the CMA has been included in the GSP or the implementation thereof.

The Board of Directors of CBGSA (Board) has determined pumping allocations as the basis for the amount to be reduced by using the average historic water use for each parcel over the 1998 through 2017 period. This approach did not provide for calculating and dealing with a base pumping figure covering all of the property within an integrated agricultural operation. To accurately calculate an average amount of water production for the property included in Sunrise Ranch for the relevant twenty-year period, all water production during that period beneficially put to use on any of the parcels now constituting Sunrise Ranch would need to be included. Sunrise Ranch has done so as later discussed herein and as shown in the data included in Attachment 3. Based upon the recommendation by the CBGSA for each landowner to review the pumping allocations stated in the July 29, 2022 Notice of Central Management Area Policies and Landowner Requirements (July 29 Notice), Sunrise Ranch Properties, LLC (Sunrise Ranch) has identified inaccuracies with the CBGSA's historic water use data used to estimate Sunrise Ranch's pumping allocation for 2023 and 2024, discussed herein.

The basic inaccuracy or error was separating each parcel in the Sunrise Ranch operation as if each parcel represented a stand-alone operation. This precluded the inclusion of the actual pumping history of all the parcels as a whole (one owner and one operation). Additionally, information regarding Sunrise Ranch's true influence on groundwater levels in the Cuyama Basin is provided herein. This information shows that Sunrise Ranch should be excluded from the CMA and therefore, exempt from all provisions of the CBGSA's CMA



## VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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policies because Sunrise Ranch is located in a data gap area; leaving no data by which the groundwater elevations at Sunrise Ranch can accurately and reliably be determined. Additionally, in recognition of Sunrise Ranch as an integrated farming operation, Sunrise Ranch requests that the CBGSA correct their average historical pumping value for Sunrise Ranch to be 4,465 acre-feet.

### **OVERVIEW OF SUNRISE RANCH PROPERTIES, LLC**

Since May 2014, Sunrise Ranch has been growing olives in the Cuyama Basin, located south of the Highway 33 and Highway 166 intersection and east of the Cuyama River along the boundary between San Luis Obispo and Santa Barbara Counties. Figure 1 in Attachment A shows a map of Sunrise Ranch within the CMA's hydrological boundary line as shown in the Board's July 6 Meeting, Agenda Item Number 13 "Update on Model Refinement". A blue rectangle has been superimposed on the map, indicating the location of Sunrise Ranch. Sunrise Ranch owns 1,085 acres of land which includes 880 acres of gross farmed land and 820 acres of net farmed land. Land not used for farming is purposed for residential homes and milling or are mountainous areas.

Sunrise Ranch farms high density olive orchards with a water demand of approximately 3 acre-feet of water per acre for a total water demand of 2,460 acre-feet per year for the net farmed land. Sunrise Ranch's farming practices include state-of-the-art irrigation efficient technology, maintenance of their assets including an olive oil processing plant, 3 currently active wells, 2 inactive wells, 2 reservoirs, and drip irrigation lines. Prior to the start of planting the orchards in 2014, the lands had been continuously planted with alfalfa and grain hay beginning sometime prior to 1998. Due to the nature of the crop grown, the Sunrise Ranch operation is permanent in nature and not a transient crop such as carrots. Attachment B shows a map of the location of Sunrise Ranch's parcels with



## VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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respect to the Operational Management Area Boundary presented in the CBGSA's July 29 Notice.

Pursuant to the CBGSA's July 29 Notice, Sunrise Ranch is located at the southwest corner of the CMA. According to the CBGSA, the CMA's hydrologic boundary line was delineated under the criteria that areas included in the CMA have been projected to experience an average decline in groundwater level of 2 feet per year over the next 50 years, assuming current farming practices. For administrative purposes, this boundary line has been adjusted to follow parcel boundaries and roadways, referred to as the Operational Management Area Boundary in the CBGSA's July 29 Notice and herein. Under an approach adopted by the CBGSA, parcels have been included in the Operational Management Area if 50% or more of the area of the parcel or more than 1000 acres within a parcel falls within the hydrologic boundary line. This unrealistic approach does not analyze pumping in the manner in which water produced from a well is actually used, as an integrated agricultural operation encompassing multiple parcels. This precludes a hydrologically sound determination of the impact of the operation as a whole. Approximately 575 acres of the parcels owned by Sunrise Ranch have been included in the CMA's Operational Management Area Boundary, whereas the remainder of approximately 510 acres have been excluded.

Dividing Sunrise Ranch's land, **which is a single, integrated farming operation**, to be both included and excluded from the CMA is not reflective of their actual influence on the basin's groundwater levels as their farming practices remain consistent throughout their land. Therefore, this Variance Request seeks all Sunrise Ranch properties to be considered as a whole and that they be excluded from the CMA.





## VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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### DETERMINATION OF WATER USE

Sunrise Ranch has identified significant inaccuracies in the CBGSA's historic water use calculation used to estimate their pumping allocation for 2023 and 2024 presented in the July 29 Notice. A correction to Sunrise Ranch's historical average water use from 1998 through 2017 is provided in Attachment C as Table 1. Water production quantities have been estimated using well pump electrical bills, when available, and standard water use rates for the applicable crops present over the historical period. Land use has been verified using aerial photos. Attachment C, Table 1 also lists the quantity of irrigated acres per year and a description of water use history.

Correction of the water application data produces an annual Historical Average Water Use during 1998 through 2017 for the Sunrise Ranch integrated farm operations of 4,465 acre-feet per year at an application rate of 4.64 acre-feet per acre. A five percent annual reduction from the corrected Historical Average Water Use during 1998 through 2017 produces an Estimated Pumping Allocation for 2023 at 4,242 acre-feet and 4,019 acre-feet for 2024.

Additionally, the CBGSA's July 29 Notice reports 5 total wells owned by Sunrise Ranch. It should be noted that Sunrise Ranch only has three currently operating wells and two inactive wells.

It should also be noted that the CBGSA's method for deriving groundwater production from applied water data in order to assume pumping allocations is not clear nor reflective of Sunrise Ranch's operations. In order to determine agricultural demand based on irrigable acreage, unit diversion rates must be used to account for losses from conveyance and irrigation processes which are a function of crop type, soil type, irrigation system



## VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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type, climate, and irrigation management practices. Consideration of these factors are not described in the July 2022 GSP. CBGSA should rely on actual metered pumping, energy use, and crop water use rates adjusted for losses from water system production, distribution, and application to estimate stakeholder pumping.

### **DETERMINATION OF MANAGEMENT AREA BOUNDARY LINE**

For the CBGSA's comprehensive understanding of Sunrise Ranch and their individual influence on groundwater storage in the Cuyama Basin, Sunrise Ranch is providing further explanation to emphasize that their current farming practices do not contribute to a projected decline in water levels of 2 feet per year. Historical groundwater elevation data used in the CBGSA groundwater model would have been influenced by the high water use by the previous owner of Sunrise Ranch land and the neighboring carrot farmer's high water use to the east. In addition, the GSP indicates there was no historical groundwater level data within a mile of Sunrise Ranch used to generate the CMA's hydrologic boundary line and that the groundwater model that generated the boundary was not calibrated to any wells in the vicinity of Sunrise Ranch. The nearest well used for calibration is located at least 1 mile south from any portion of Sunrise Ranch.

As shown on Table 1 in Attachment C, the previous owner of the land farmed alfalfa (700 Acres at 5 acre-feet per acre) and grain hay (400 Acres at 1.5 to 2 acre-feet per acre) from at least 1998 through 2014. Sunrise Ranch did not start planting olive trees until May 2014. From 2018 through 2019, a rise in water use was due to the neighboring carrot farmer who rented 120 acres of Sunrise Ranch's land and used their well. Comparatively, Sunrise Ranch uses a maximum of approximately 3 acre-feet per acre at full tree maturity.



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For 2023 and 2024 in the Central Management Area  
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Additionally, Sunrise Ranch utilizes water efficient practices to reduce water use in comparison to the previous owner and its current neighbor located immediately to its east. Those practices include state-of-the-art drip irrigation technology and the lining of both of its on-site reservoirs, avoiding loss of water due to percolation. According to the June 2015 Congressional Research Service Report “California Agricultural Production and Irrigated Water Use”, drip irrigation lines are reported to have the highest efficiency rate of 87.5% to 90%, compared to traditional sprinkler systems of 70% to 82.5%. The neighbor referred to uses traditional sprinkler systems to grow carrots on its site next door to Sunrise Ranch and on other Basin parcels.

This neighbor’s negative impact on Sunrise Ranch is demonstrable. This month, August of 2022, Sunrise Ranch wells experienced a severe drop in water production rates due to the neighbor’s water production. When that production was offline for maintenance, Sunrise observed its water production at 1,150 gallons per minute. But when the neighbor’s well went online, the nearby Sunrise Ranch well production rate dropped to 750 gallons per minute. Evidence showing the harmful impacts of the neighbor’s production was first noticed as early as 2016 when, after approximately one year after the neighbor’s first well was installed, Sunrise Ranch was required to lower the bowl of its Well Number 2 by 60 feet in order to maintain efficient production. Similar events caused by the impact of neighboring production included a requirement to lower the bowl of its Well No. 1 by 40 feet during June of 2020 and to again, lower the bowl of its Well No. 2 by an additional 60 feet during September of 2021. Sunrise Ranch’s Well No. 2 is located approximately 0.25 miles from one of the neighbor’s wells, a deep, high capacity well along Sunrise Ranch’s east property line.



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The above mentioned high-capacity well is located approximately 150 feet outside of the Central Management Area. The ironic conclusion is that the neighbor's well is significantly and negatively impacting Sunrise Ranch's wells which have been deemed to be located within the CMA. Moreover, the land irrigated by the operation of the neighbor's wells is largely located outside the CMA. The program adopted, if not modified, would leave the pumping which is dropping basin elevations and interfering with other production unconstrained while causing Sunrise Ranch pumping to be constrained and ramped down. The clearly inequitable result which needs to be avoided is the adoption and application of a regulation which enables the continued production of one party which is causing negative basin impacts while forcing the reduction of pumping by Sunrise Ranch, an already damaged party which has not generated elevation drops and which adheres to state-of-the-art water saving irrigation practices. And, finally, this potential absurd result again demonstrates why seeking to constrain and reduce pumping by specific parties who may be damaging the Basin rather than constraining and reducing pumping by all parties within a physical area, including parties who are conducting business exactly as SGMA desires, is more equitable and more legally supportable.

As mentioned above, absolutely no relevant historical groundwater level data near Sunrise Ranch was used to create the groundwater model that established the CMA hydrological boundary. The following is a list of figures found in the July 2022 GSP and an indication of what the figures show regarding availability of data with respect to Sunrise Ranch. A blue rectangle has been superimposed on each figure, indicating the location of Sunrise Ranch. These figures are attached as Attachment D:



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1. Figure 2-26 shows the last groundwater level measurement dates for wells within the basin. The well closest to Sunrise Ranch with the earliest data (2010-2016) is approximately 1 mile west of Sunrise Ranch.
2. Figure 4-2 shows the wells in the central area of the basin and whether they are currently monitored or not monitored. The closest currently monitored well to Sunrise Ranch is about 2 miles north of Sunrise Ranch. The hydrograph for this well also shows that the data available ranges from the 1950's to 1970's.
3. Figure 4-4 shows the wells from which the USGS collects groundwater level data. Most wells near Sunrise Ranch were last monitored prior to 2017. The nearest well that was monitored earlier is about a mile west of Sunrise Ranch.
4. Figure 4-9 shows the dates private landowners' wells within the basin were last monitored. Most wells owned by private landowners near Sunrise Ranch were last monitored prior to 2017. There are no recorded private landowner wells within or to the east of Sunrise Ranch.
5. Figure C-18: This is an excerpt from Appendix C of the Updated GSP showing the groundwater wells used to compare observed water levels with simulated water levels to calibrate the groundwater model. There are no calibration models to the east of Sunrise Ranch. The closest calibration well, OPTI Well No. 616, is 1 mile south of Sunrise Ranch. The hydrograph for Well No. 616 shows well elevation data ranging from 1995 through 2011.
6. Figures 2-39 through 2-48: These figures show the groundwater levels relative to Mean Sea Level and depth to groundwater surface data and corresponding elevation contours reflective of Fall 2014, Spring 2015, Spring 2017, Fall 2017, and Spring 2018. These figures show there is uncertainty in the contours in a very large area which includes Sunrise Ranch. Additionally, the groundwater elevation contours for Spring 2018 that cross Sunrise Ranch in Figure 2-39 are higher than the groundwater



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elevation contours for Spring 2015 that cross Sunrise Ranch in Figure 2-45 which means the figures show the groundwater levels at Sunrise Ranch increased an average of approximately 8 feet per year from 2015 to 2018. This is not consistent with the GSA's decision to include Sunrise Ranch within the CMA based on the criteria that the area is projected to experience a decline in groundwater levels of 2 feet each year for the next 50 years. Analysis of the hydrographs of the calibration wells nearest to Sunrise Ranch in comparison to these contours also create even more uncertainty. As described above, the closest calibration well, OPTI Well No. 616, is 1 mile south of Sunrise Ranch. The hydrograph for Well No. 616 shows well elevation data ranging from 1995 through 2011. OPTI Well No. 80, north of Sunrise Ranch, only has data records up to 2014. The calibration well hydrographs show that these contours are only accurate up to about 2 miles east of Sunrise Ranch at OPTI Wells No. 530 and No. 91. Anything to the west of these calibration wells have no relevant or any data that can be used to have confidence in the contour lines presented in Figures 2-39 through 2-48.

The information available and used clearly shows the lack of data which scientifically could support the alignment of the hydrologic boundary in the vicinity of Sunrise Ranch. To the contrary, what is shown is that Sunrise Ranch is in an area suffering from a lack of data, referred to in the GSP as a data gap area. According to the January 2022 DWR GSP Assessment Staff Report, the GSP does not provide an explanation for why the criterion set for undesirable results for chronic lowering of groundwater levels is consistent with avoiding significant and unreasonable effects. The updated July 2022 GSP does not address DWR's Corrective Actions and the CBGSA explicitly states that the information in the previous GSP is not satisfactory and in addition, that the "CBGSA recognizes the lack



## VARIANCE REQUEST FORM

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of reliable historical data and acknowledges the limitations and uncertainties it causes.”  
(Cuyama Basin GSP, July 2022)

The CBGSA attempts to correct this deficiency by stating their identification of undesirable results were developed from input from local stakeholders and landowners, the hydro geological conceptual model, current and historical data, and local knowledge and professional opinion. As presented in this Variance Application, these data sources are not comprehensive and, at a minimum, have included Sunrise Ranch in error. Placing Sunrise Ranch, or any part of that property, in the CMA would constitute a scientifically baseless decision. That decision needs to be corrected by excluding Sunrise Ranch from the CMA.

More generally, we respectfully suggest that in order for the CBGSA to accurately delineate the CMA boundaries and before mandating water production cutbacks which apply exclusively to all producers within such boundaries, a full basin-wide data collection and data gaps evaluation should be used to resolve uncertainties like those referred to in this Application. Or, the GSA may want to consider applying water production restrictions to specific operations within the Basin which are shown to be causing the drops in well elevation, rather than applying restrictions to a described area in which some operations may be pumping at a rate which is lowering those elevations while others, such as Sunrise Ranch, demonstrably are not doing so.



## VARIANCE REQUEST FORM

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### CLOSING STATEMENT

Based on (1) the lack of data available to support that portion of the CMA boundary in the vicinity of Sunrise Ranch and (2) Sunrise Ranch's substantial reduced water demand due to growing a more water efficient crop than that grown historically and the application of state of the art efficient irrigation practices, Sunrise Ranch requests that the CBGSA issue a Variance which excludes the entirety of Sunrise Ranch's integrated farming operation from the Central Management Area. Additionally, in recognition of Sunrise Ranch as an integrated farming operation, Sunrise Ranch requests that the CBGSA correct their average historical pumping value for Sunrise Ranch to be 4,465 acre-feet.

We would welcome any opportunity to discuss the contents of this Variance Application with the CBGSA staff and to submit any further available information which might be helpful in processing this Application. We also are prepared to meet engineering or legal consultants to the CBGSA together with our attorneys Richards, Watson & Gershon and our engineers from Stetson Engineers, Inc.

If CBGSA requires a Variance Request applicant serve any other party, individual, or entity, please promptly provide Richards, Watson & Gershon a service list so that Sunrise Ranch can serve a courtesy copy of this Variance Request.

James L. Markman

Richards, Watson & Gershon

Steve Johnson

Stetson Engineers, Inc.

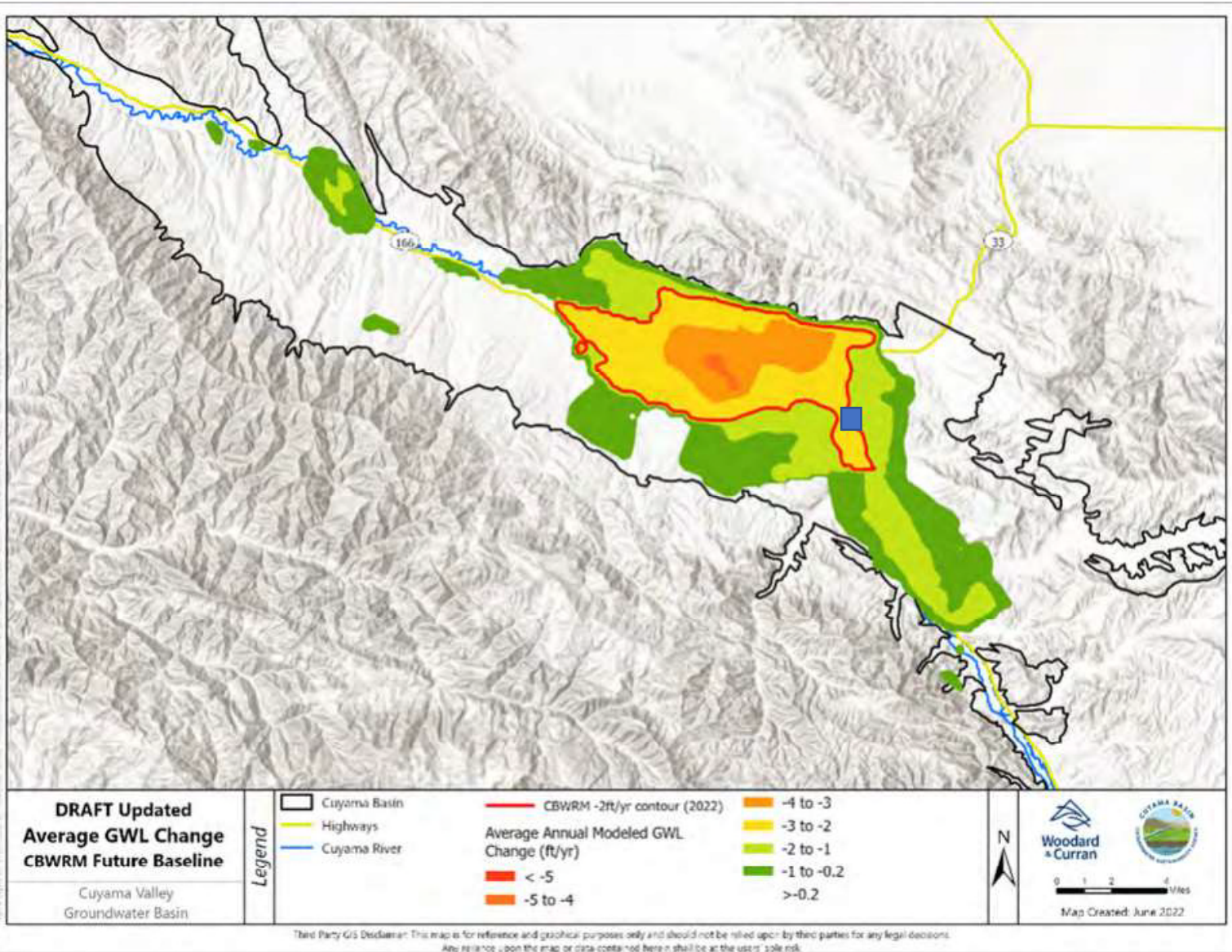


# ATTACHMENT A

ATTACHMENT A

LEGEND








■ = SUNRISE RANCH



# ATTACHMENT B

# ATTACHMENT B

## LEGEND

-  = MA BOUNDARY LINE
-  = ALL PARCELS WITHIN MA
-  = SUNRISE RANCH BOUNDARY LINE
-  = SUNRISE RANCH PARCELS WITHIN MA
-  = SUNRISE RANCH CURRENTLY OPERATING WELLS
-  = GSA REPRESENTATIVE WELLS
-  = GSA REPORTED WELLS

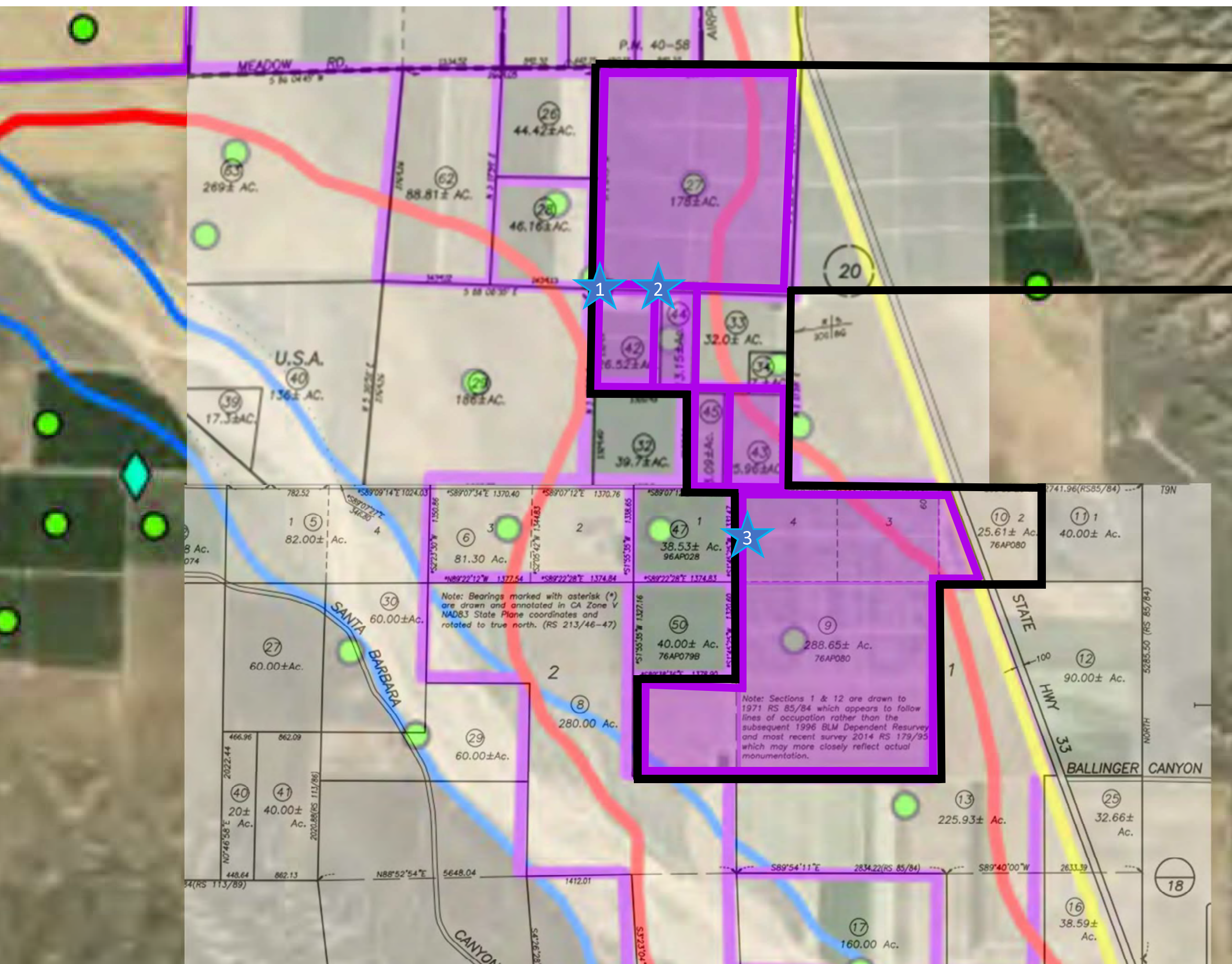
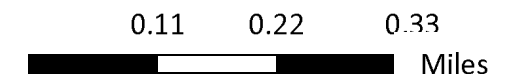
## LIST OF SUNRISE RANCH PARCELS WITHIN MA

- 096-211-027
- 096-211-042
- 096-211-043
- 096-211-044
- 096-211-045
- 149-170-009

## LIST OF SUNRISE RANCH PARCELS OUTSIDE MA

- 149-170-10      096-201-019\*
- 096-201-015\*    096-201-020\*
- 096-201-016\*    096-201-021\*
- 096-201-017\*    096-211-033
- 096-201-018\*    096-211-034

Note: \* = Parcels within Assessor's Parcel Book 096 Page 201 are partially shown on this map. Sunrise Ranch east boundary line ends at parcels 096-201-019 and 096-201-015.



# ATTACHMENT C

SUNRISE RANCH, LLC  
 CUYAMA BASIN GSA VARIANCE APPLICATION  
 SUNRISE RANCH WATER USE HISTORY

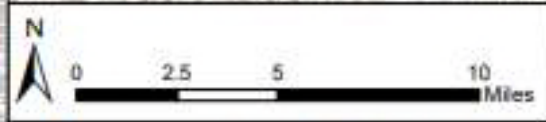
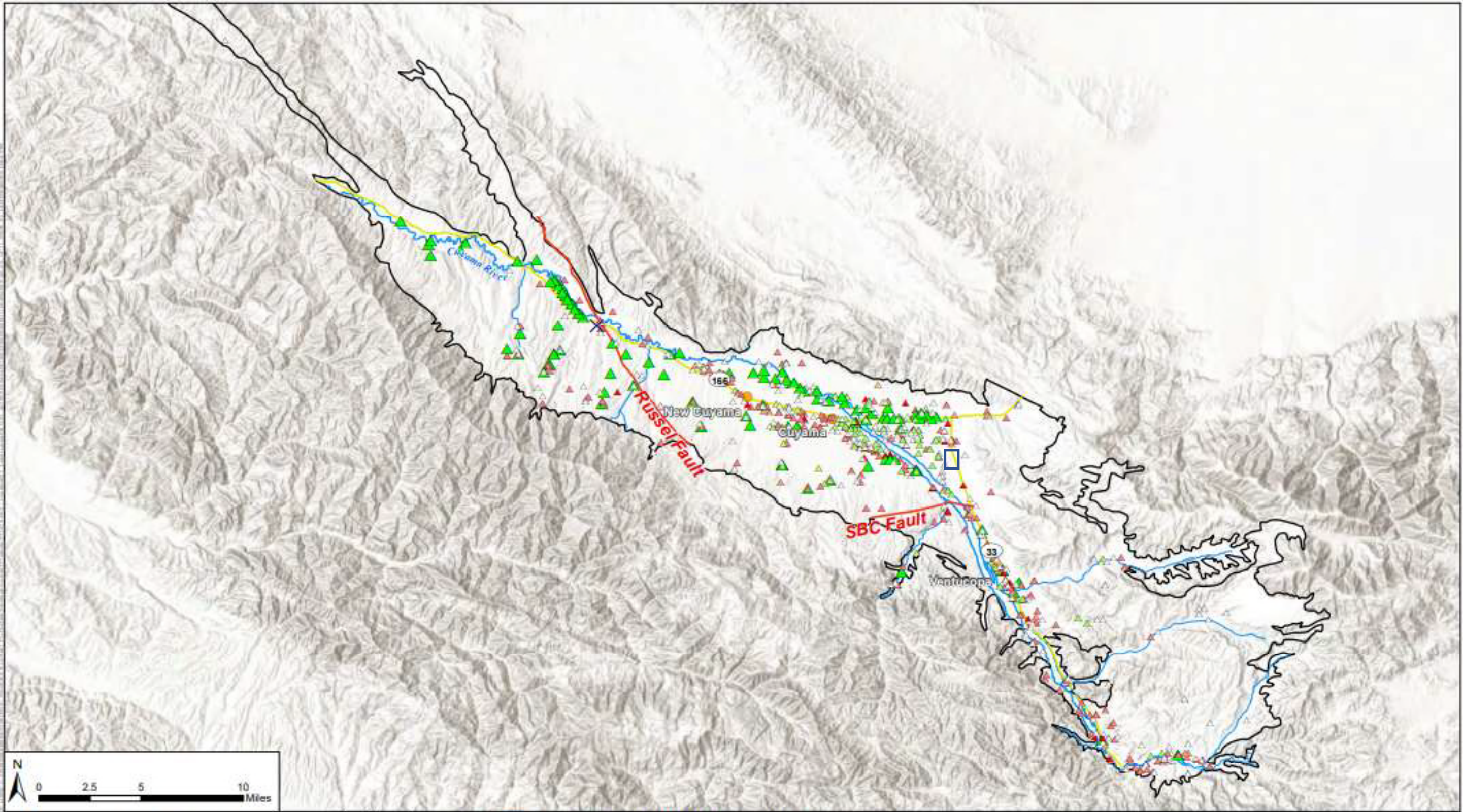
## ATTACHMENT C

Table 1: Sunrise Ranch Water Use History

YEAR	Total AFY	Net Acres Planted	Application Rate	Observation/ Notes
1998	5,532	1100	5.50	Previous owner growing alfalfa and grain hay. Previous owner also using own wells to water 200 acres of rented land outside of Sunrise Ranch.
1999	5,532	1100	5.50	
2000	5,532	1100	5.50	
2001	5,532	1100	5.50	
2002	5,532	1100	5.50	
2003	5,532	1100	5.50	
2004	5,532	1100	5.50	
2005	5,532	1100	5.50	
2006	5,532	1100	5.50	
2007	5,532	1100	5.50	
2008	5,532	1100	5.50	
2009	5,532	1100	5.50	
2010	5,532	1100	5.50	
2011	5,532	1100	5.50	
2012	5,532	1100	5.50	
2013	4,214	766	5.50	
2014	282	180	1.56	Sunrise Ranch starts planting in May 2014 with 180 acres. During a portion of the year, previous owner continued to grow alfalfa.
2015	404	500	0.81	Sunrise Ranch plants 320 acres
2016	547	500	1.09	No new planting
2017	881	660	1.34	Sunrise Ranch plants 160 acres
2018	1,515	780	1.94	Sunrise Ranch rents out 120 acre parcel to carrot grower with high water use
2019	1,499	780	1.92	Sunrise Ranch rents out 120 acre parcel to carrot grower with high water use
2020	1,429	660	2.17	No new planting
2021	1,983	820	2.42	Sunrise Ranch plants 160 acres

Note: Water use data from 2012 through 2021 were estimated using electrical bills. Water use data from 1998 through 2011 were estimated using electrical bills from 2012 and verified by standard water use rates for the applicable crops. Total Annual Water Use on Acres Planted for years 1998 through 2013 are from the previous landowner. Acres planted was spot verified by aerial photography. In calculating the average amount of water produced from 1998 through 2017, it would arguably be more equitable to eliminate production during years 2014 through 2016 from the calculation since there was a transition in crops during those years and, therefore, the property was not then fully planted.

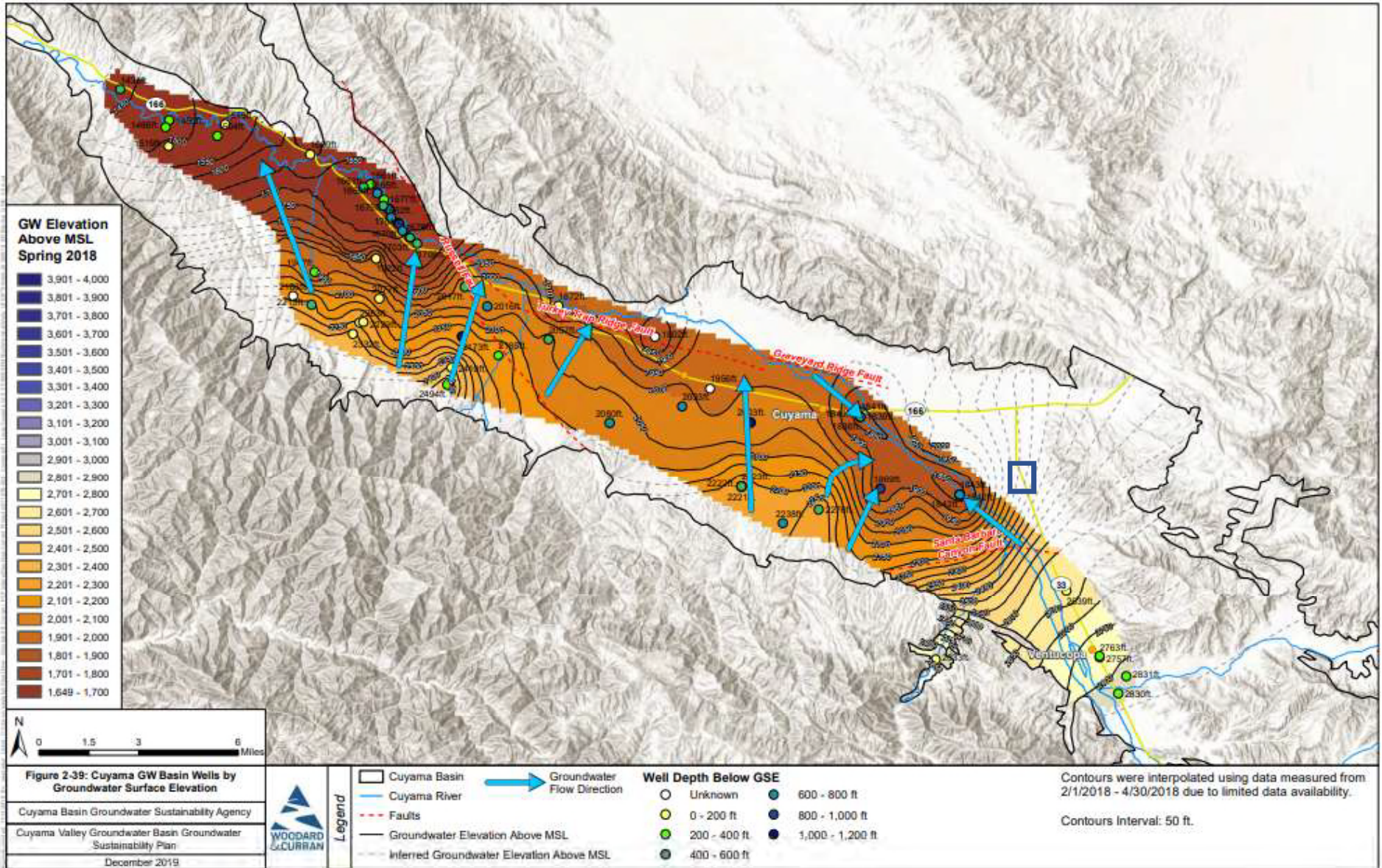
# ATTACHMENT D

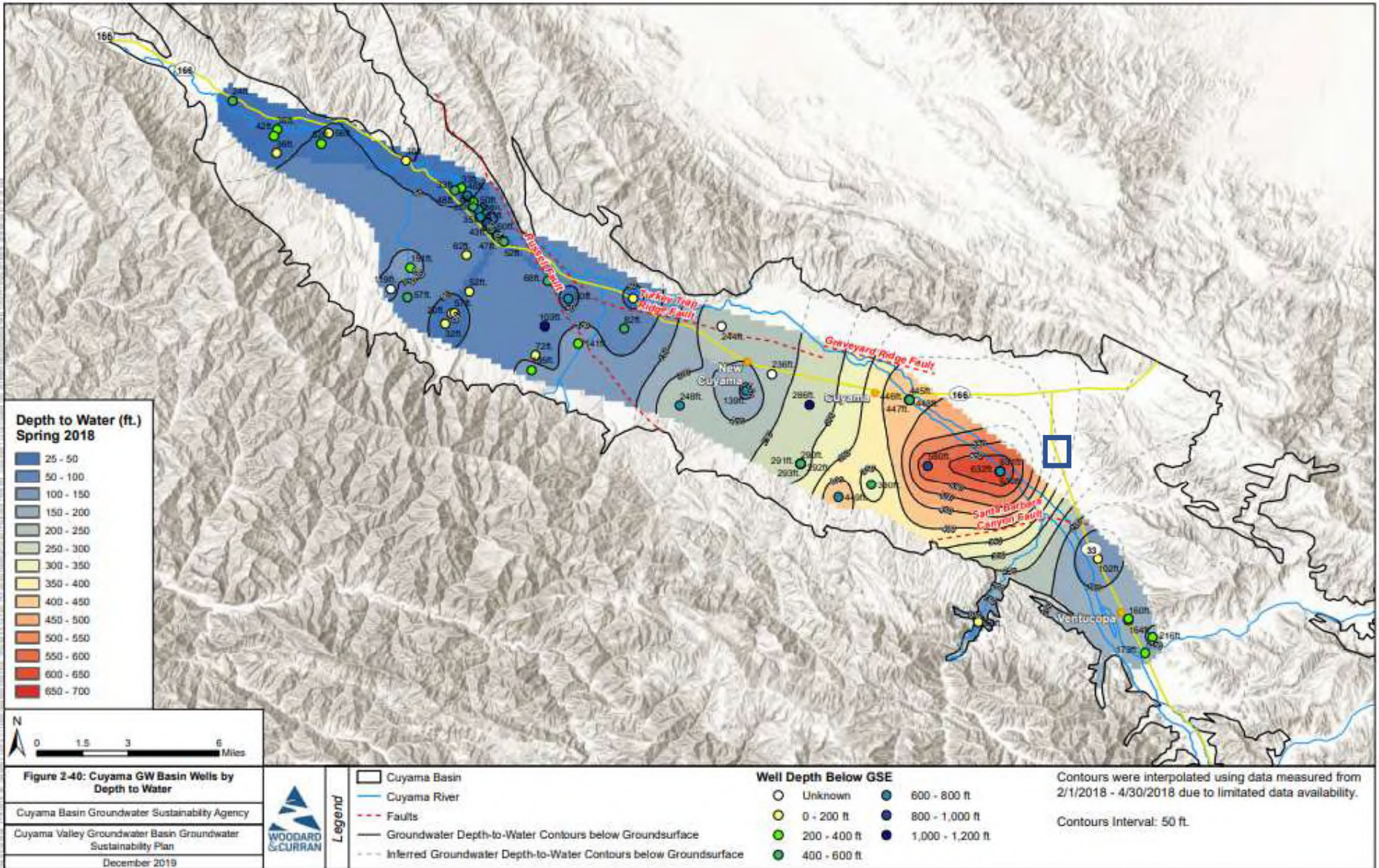


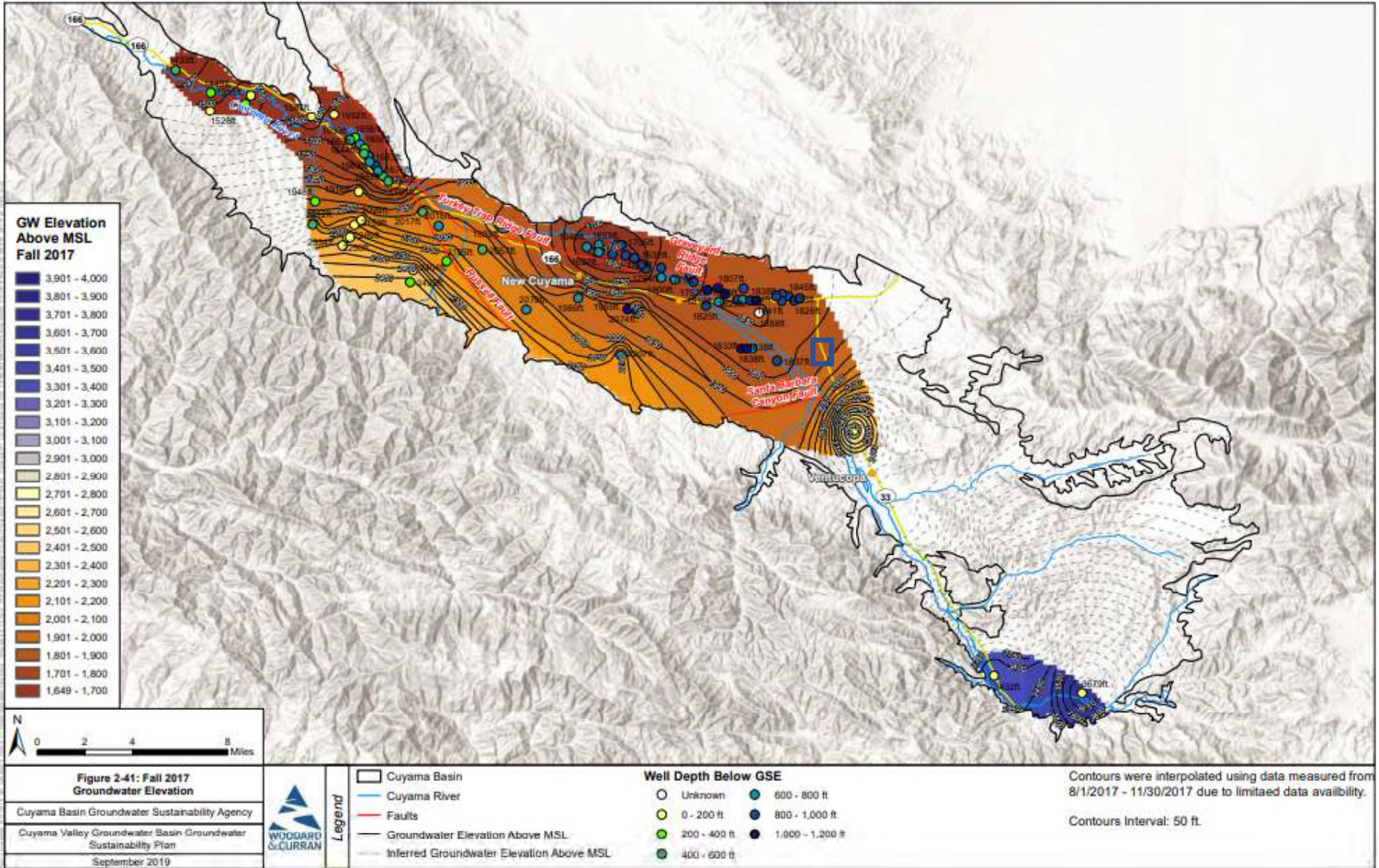
**Figure 2-26: Cuyama GW Basin Wells by Last Measurement Date**  
 Cuyama Basin Groundwater Sustainability Agency  
 Cuyama Valley Groundwater Basin Groundwater Sustainability Plan  
 September 2019

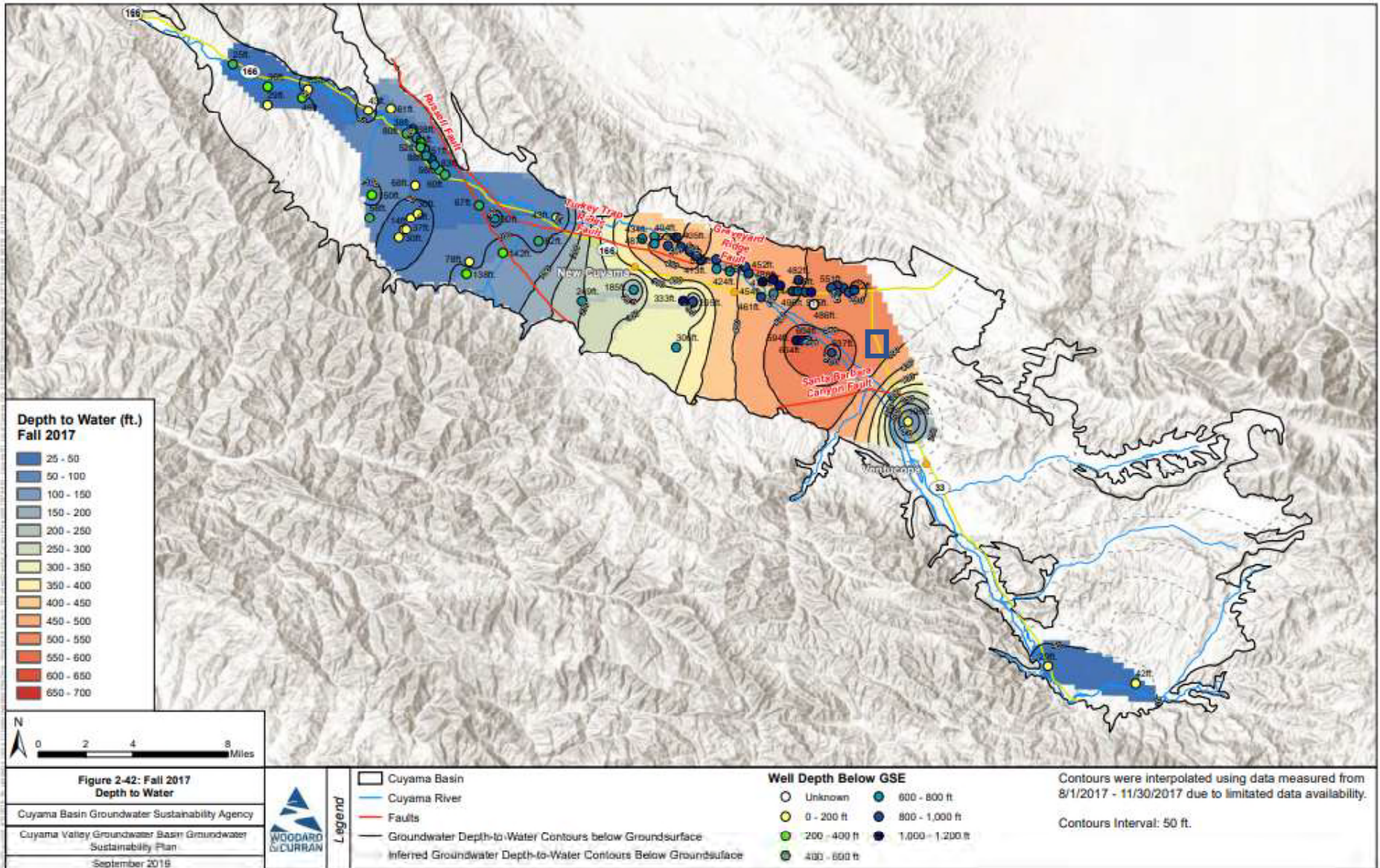
	<b>Legend</b> Cuyama Basin Highways Towns Cuyama River Streams Fault	<b>Most Recent Year with Measurements</b>		
		▲ 2017 - 2018 ▲ 2010 - 2016 ▲ 2000 - 2009 ▲ 1990 - 1999	▲ 1980 - 1989 ▲ 1970 - 1979 ▲ 1960 - 1969 ▲ 1950 - 1959	▲ Pre-1950 ▲ No Measurement Data

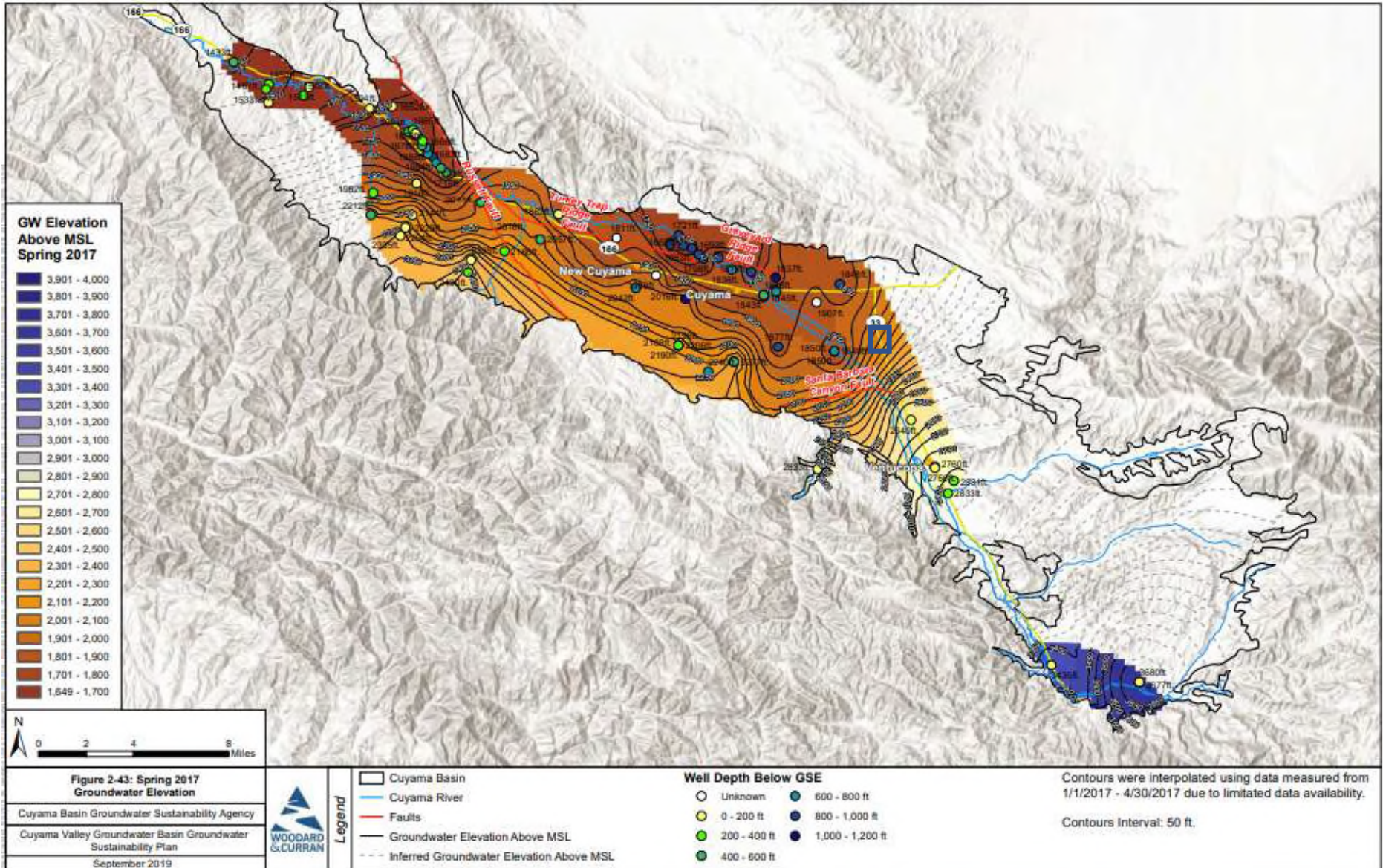


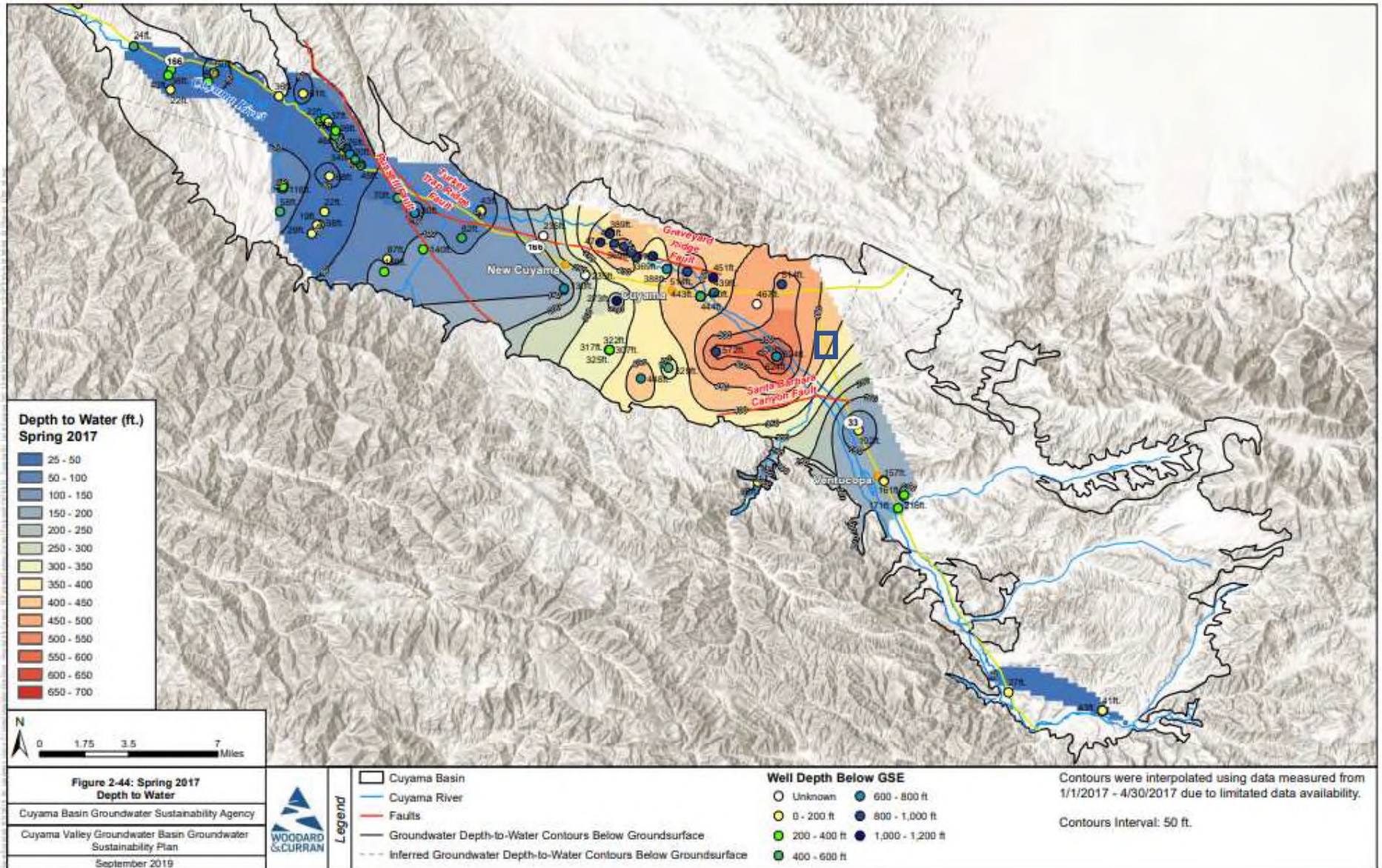


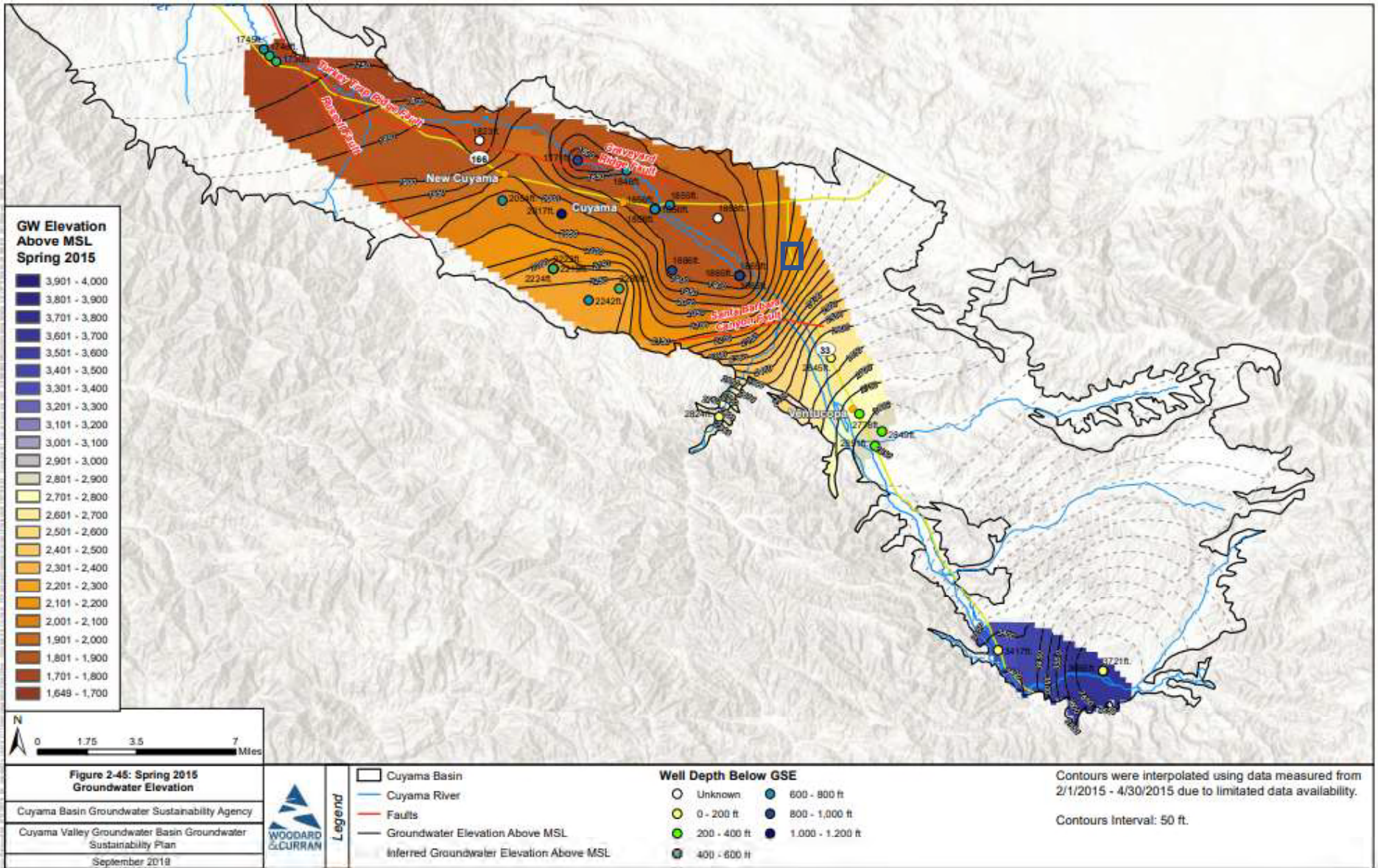


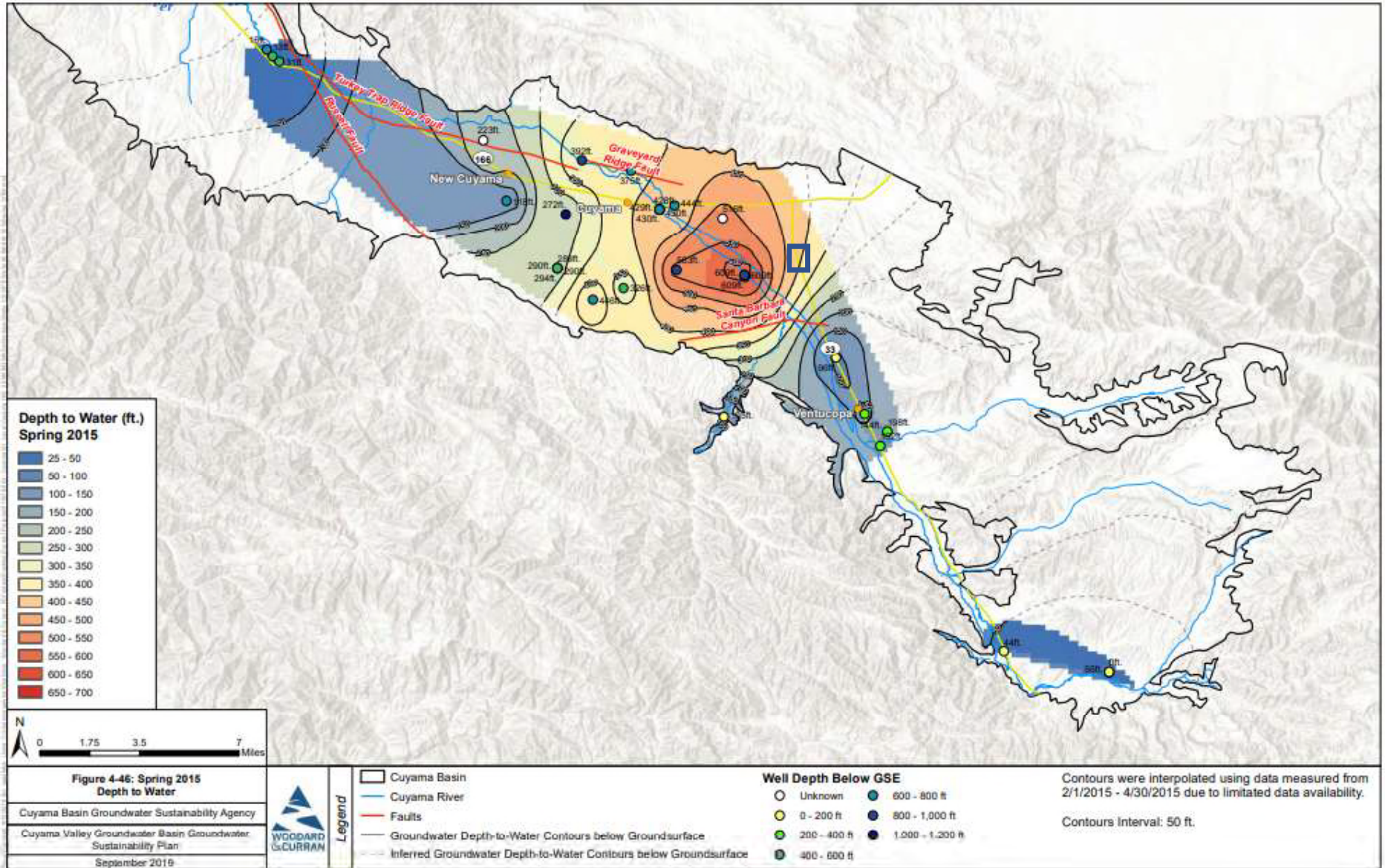




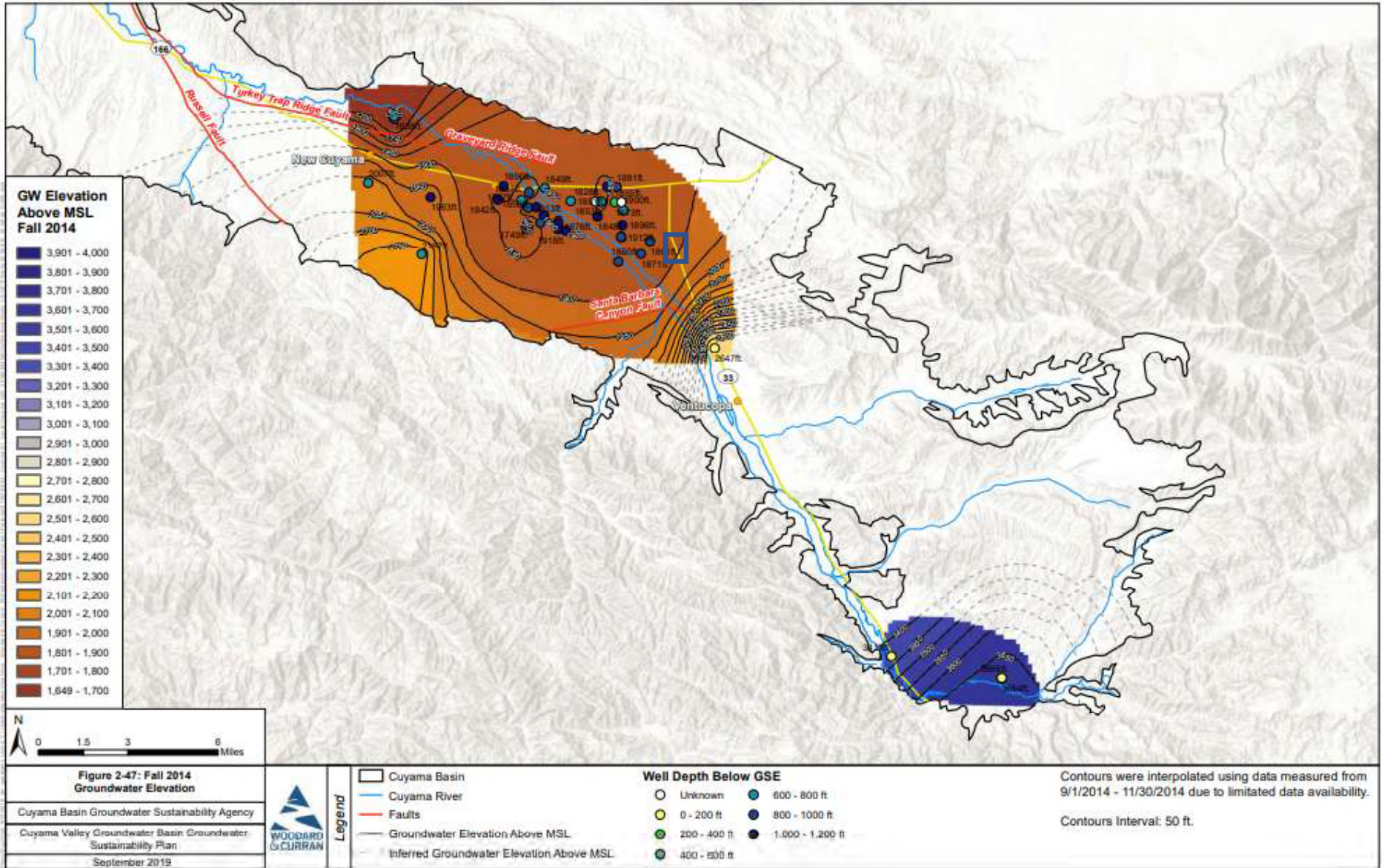


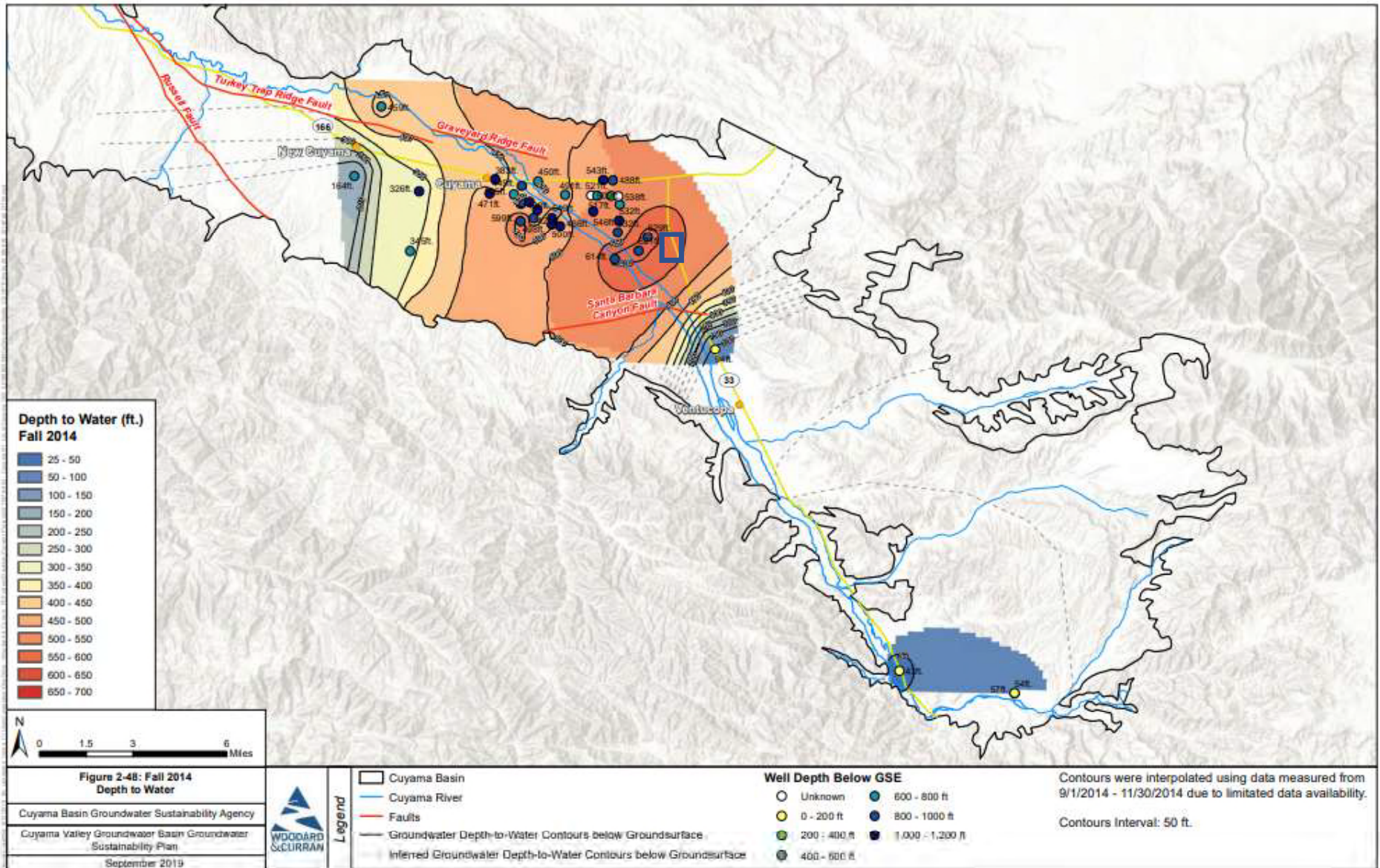


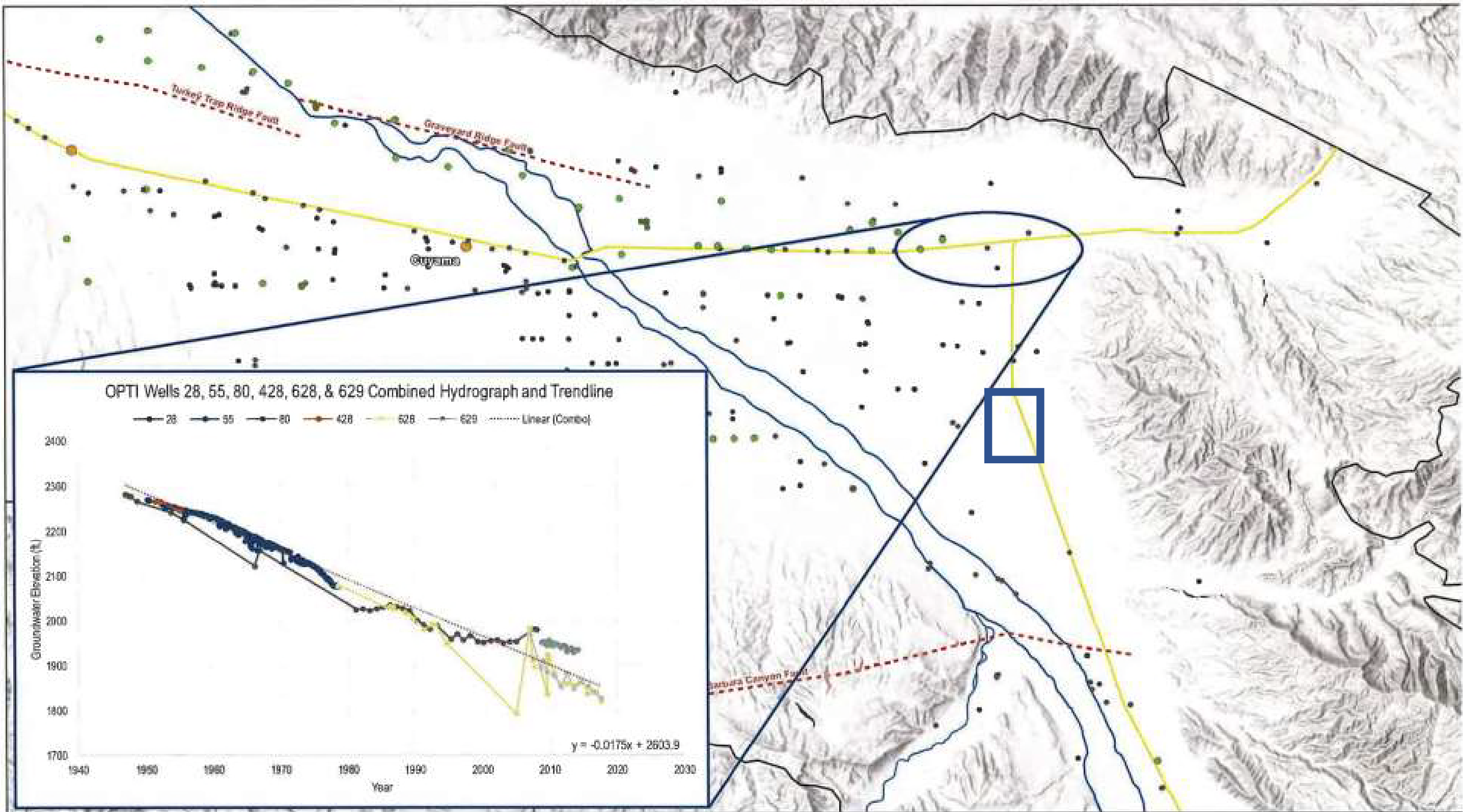








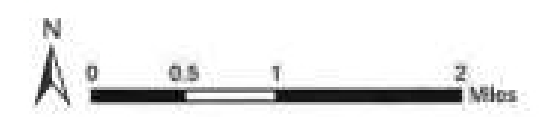


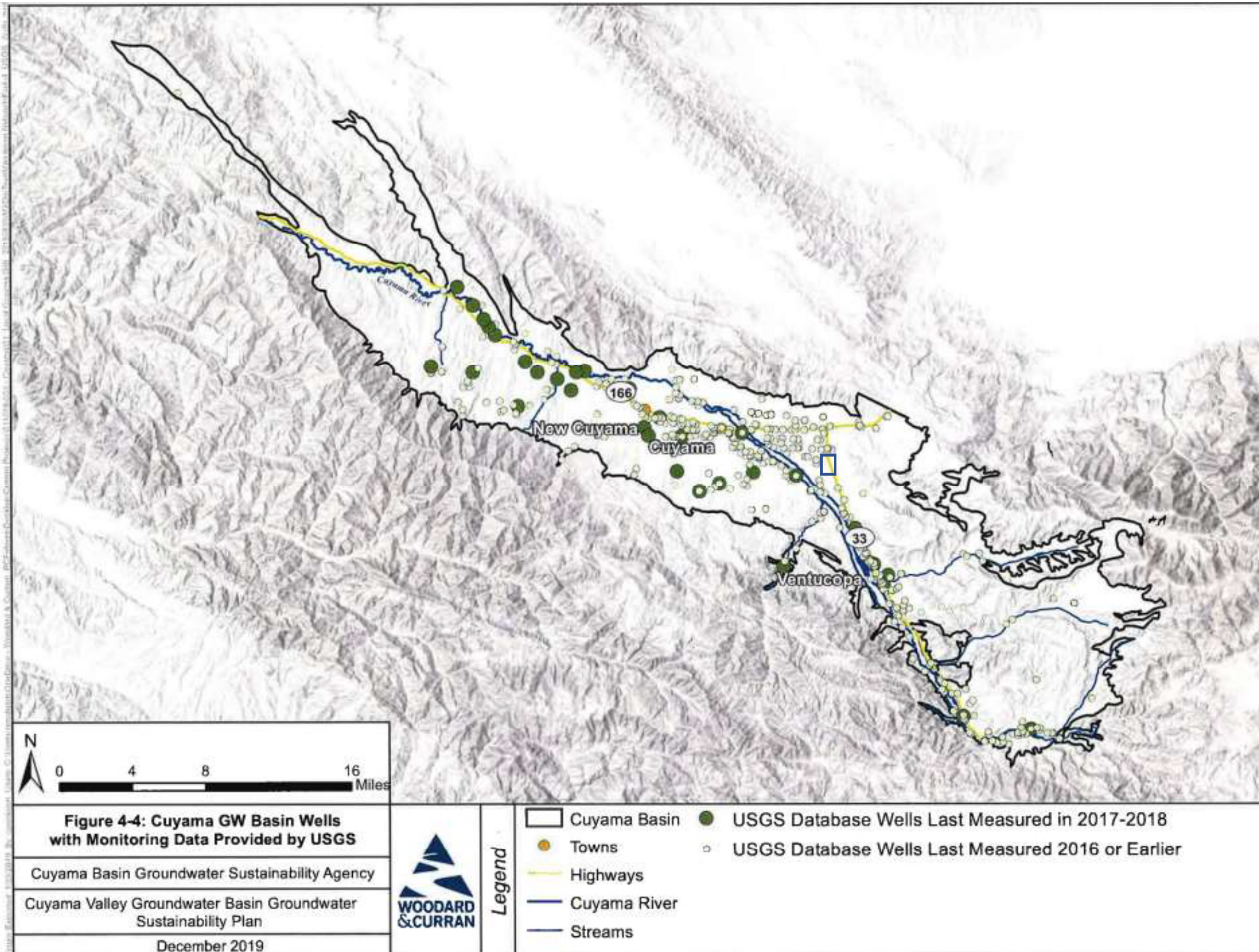


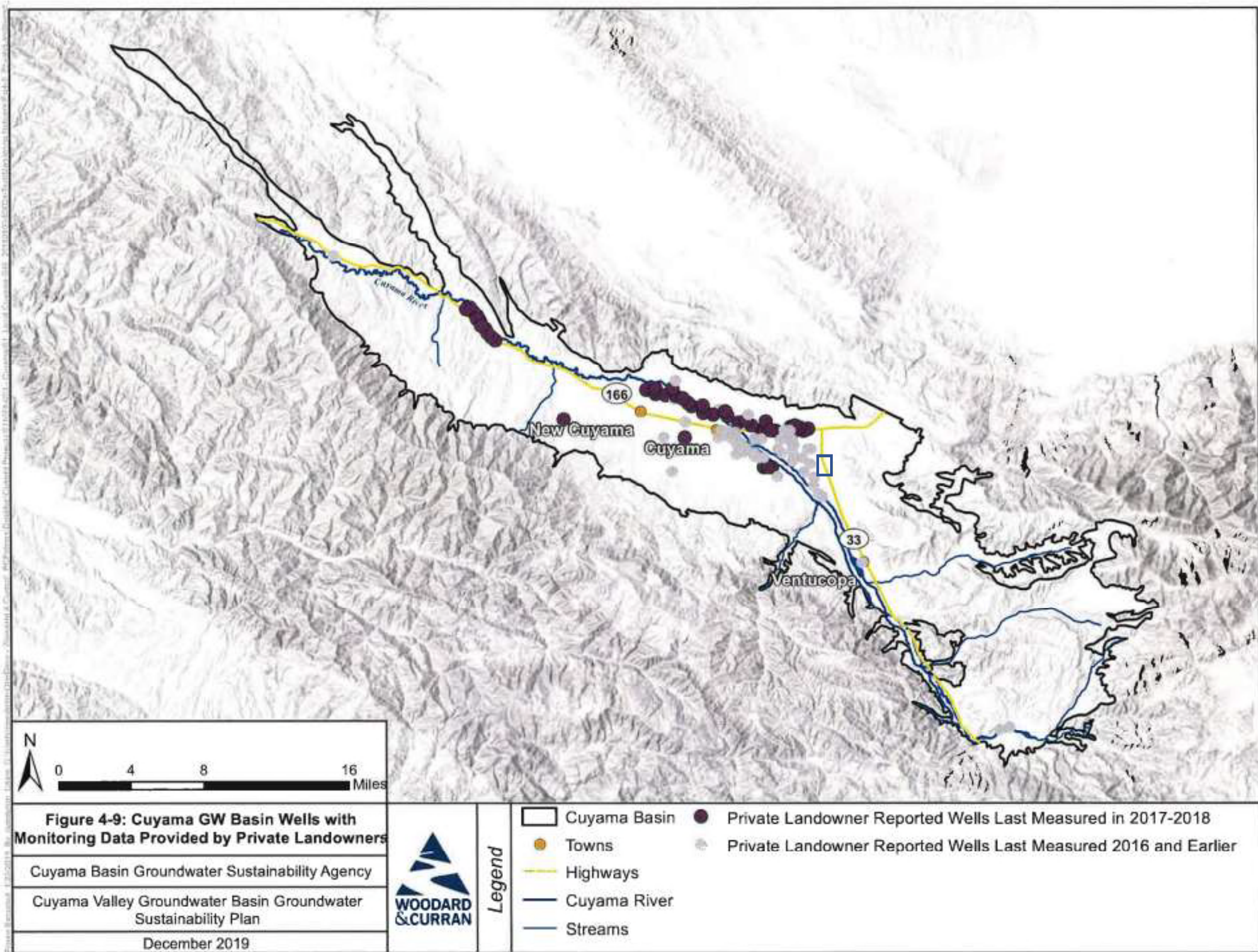
**Figure 4-2: Cuyama GW Basin Central Basin with Combined Hydrograph**  
 Cuyama Basin Groundwater Sustainability Agency  
 Cuyama Valley Groundwater Basin Groundwater Sustainability Plan  
 April 2019

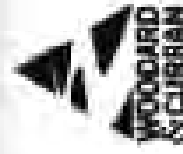


- Legend**
- Cuyama Basin
  - Towns
  - Highways
  - Cuyama River
  - Streams
  - - - Faults
  - Currently Monitored Wells
  - Not Currently Monitored









### Groundwater Level Calibration

The goal of groundwater level calibration is to achieve reasonable agreement between the simulated and observed values (in this case, groundwater levels at the calibration wells). Within the CBWRM, 65 wells were used to evaluate the model calibration at both a regional and local scale. These wells are included in the CBCGA's Opti data management system. The calibration wells were selected based on their period of record and availability of observation data, spatial distribution across the model, and trends of nearby wells. These calibration wells are shown in Figure C-18.

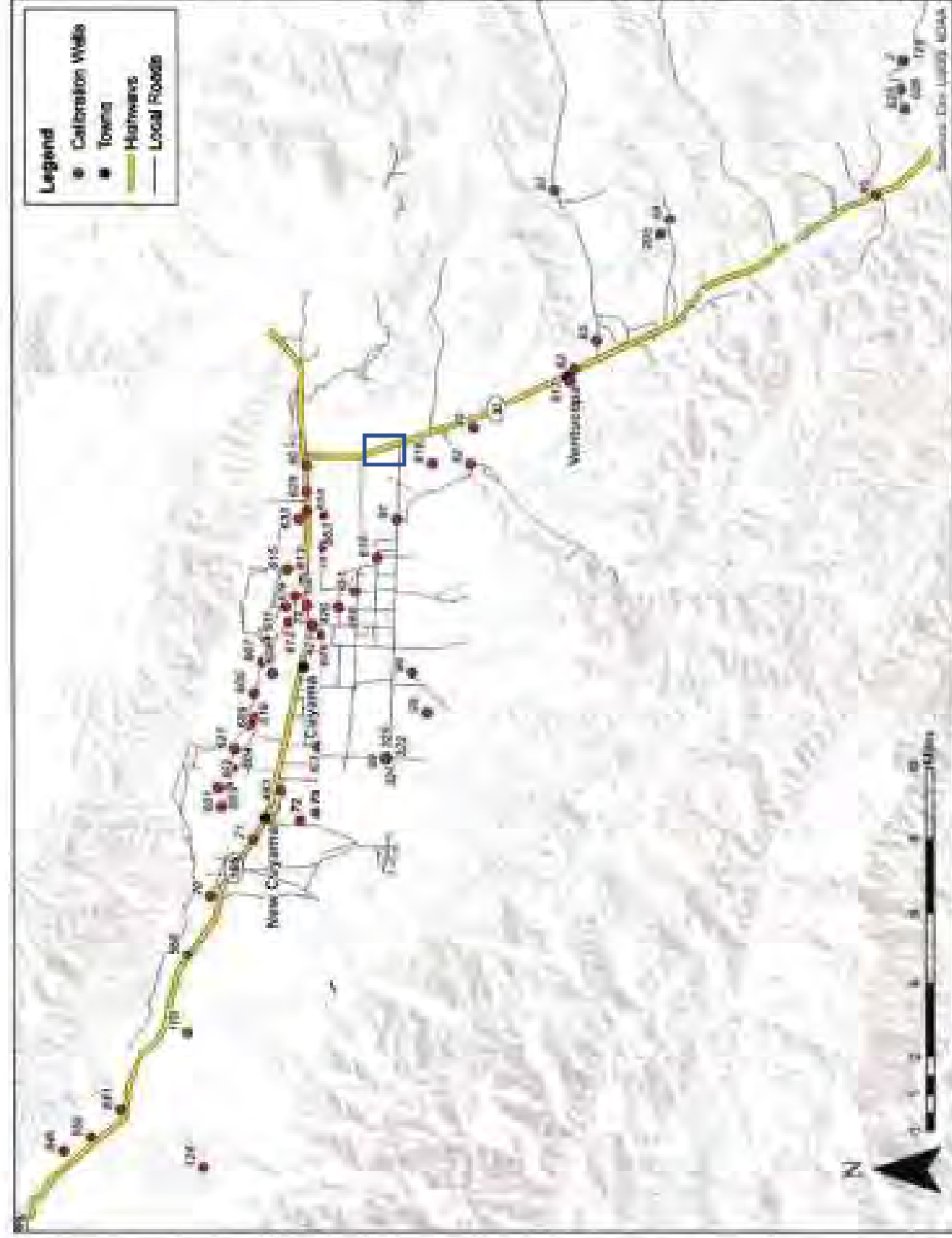


Figure C-18: Location of Calibration Wells



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Submit this form, **including a \$250 fee** (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name: Grimmway Enterprises, Inc.- Matt Vickery

Date: 8/30/22

Phone: 661-845-5761

Email: mwickery@grimmway.com

Assessor Parcel Number(s) (APN): The following APNs are not located within the CMA but  
I request they be given an allocation because they are irrigated by wells located in the CMA:  
096-441-014; 096-441-015; 149-310-005 (Southern Portion-722.6 Acres)

## Please describe the basis for your request and attach any supporting documentation

Grimmway is the farm tenant on those grounds owned by Diamond Farming Company, Lapis Land Company, LLC, and Ruby Land Company, LLC within the Central Management Area. Grimmway requests that the proposed allocations on these properties be increased based on the following issues, which are described in more detail in the letter sent to Jim Beck on August, 26, 2022, that I've attached to this form:

1. The CMA boundary excludes some of Grimmway's acreage irrigated by its wells located inside the CMA, which, if not addressed, will be a taking of 100% of the historic water use associated with those lands.
2. Parcels with no historic use and no potential for future beneficial use are inappropriately assigned an allocation. These proposed allocations necessarily take water away from others that have a beneficial need for the water.

Thank you for your consideration of this request. Please let me know if any clarification is needed.

Best Regards,

A handwritten signature in blue ink that reads "Matthew D. Vickery".

Matthew D. Vickery  
Director of Land and Water Resources



A family of *Growing* companies.™

**VIA EMAIL ONLY**

August 26, 2022

Jim Beck  
 Executive Director  
 Cuyama Basin Groundwater Sustainability Agency  
 4800 California Ave.  
 Tower B, 2<sup>nd</sup> Floor  
 Bakersfield, CA 93309

**RE: Concerns Regarding the GSA’s Proposed Groundwater Pumping Allocations**

Dear Mr. Beck,

After reviewing the Cuyama Basin GSA’s (“GSA”) proposed groundwater pumping allocations for 2023 and 2024 in the Central Management Area (“CMA”), Grimmway Enterprises, Inc. (“Grimmway”) has several concerns about the reduced allocation it is projected to receive, and the allocation of water to lands within the CMA with no apparent beneficial use. While Grimmway plans to file an official Variance Request Form prior to the September 1 deadline, Grimmway is sending this letter to give GSA staff additional time to consider adjusting allocations consistent with the spirit and intent of the GSA. Grimmway respectfully requests setting up a Zoom conference to discuss these issues with you and the appropriate members of the GSA’s management team at your earliest convenience.

The crux of the issue is that the GSA is proposing Grimmway cutback more than 5% from its historic pumping from wells located within the CMA, contrary to the GSP. Please consider the following flaws in the proposed allocation methodology:

**I. The CMA Boundary Excludes Grimmway’s Acreage Irrigated by Wells in the CMA.**

Grimmway’s proposed allocation of 12,456 AF<sup>1</sup> for 2023 does not include any allocation for lands located outside of the CMA, but are irrigated by wells within the

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<sup>1</sup> Calculated by adding the proposed pumping allocations for 2023 for the following landowners that Grimmway operates on: Diamond Farming Company, Lapis Land Company, LLC, and Ruby Land Company, LLC.



CMA. Grimmway farms on 7,350 gross acres<sup>2</sup> inside the CMA boundary. However, Grimmway operates an additional 1,478 acres outside of the CMA that are served by its wells located within the CMA.<sup>3</sup> Leaving out these acres has a detrimental impact on Grimmway's proposed water allocation. Because the GSA plans to measure compliance with the 2023 and 2024 allocations at the well head, all ground that has historically been served by Grimmway wells located in the CMA should be given an allocation. If these lands are not given an allocation, the GSA is taking 100% of the historic water use associated with those lands because the wells that serve them are located within the CMA. This taking unlawfully alters Grimmway's water rights, which SGMA specifically prohibits.<sup>4</sup>

See the attached spreadsheet for a list of APNs that Grimmway requests be included in the CMA and given an allocation. By adding these acres, Grimmway expects that its allocation would become more appropriate. This approach looks at Grimmway's operation as an interconnected "farm unit:" meaning all land that is irrigated by wells located within the CMA is given an allocation. We suggest allowing all landowners with operations that straddle the CMA boundary to be looked at as a "farm unit" so that the allocations are based on their historic use pumped from wells within the CMA.

## **II. Model Errors: Parcels with No Historic Use and/or No Potential for Future Beneficial Use Are Inappropriately Assigned an Allocation.**

After reviewing the list of APNs that are proposed to receive an allocation, it appears several parcels either have no historic use, or have no ability for future water use, and are nonetheless receiving an allocation. One example is the United States of America, with a proposed allocation of 211 AF for 2023. The parcels owned by the USA consist of riverbed ground that is not farmable, and the USA does not have access to wells for those parcels. Thus, given the severity of cutbacks it is entirely improper to allocate water to parcels with limited or no beneficial use.

Grimmway saw a similar issue with the parcels owned by SoCal Gas and PG&E that clearly do not use water but were also given an allocation. It is unclear why the USA, SoCal Gas, and PG&E parcels were given an allocation at all and makes Grimmway question whether the proposed allocations were properly vetted prior to being published. The allocation of water to those with no beneficial use necessarily takes water away from others that have a beneficial need for the water. Grimmway requests that the GSA rerun its quality assurance measures on this data to weed out all inappropriate allocations. To help with the GSA's review, see the attached aerial maps from Parcel Quest as an example of the USA parcels that should not be given an allocation from the CMA.

Additionally, the model may have attributed water inconsistently amongst some parcels with similar cropping rotations. It would be helpful if the GSA ran additional

<sup>2</sup> Calculated by adding the "Parcel Area in CMA" column in the GSA's MA Allocation spreadsheet, for the entities listed in footnote 2.

<sup>3</sup> See attached table describing the additional APNs served by wells located within the CMA.

<sup>4</sup> See WAT § 10720.5

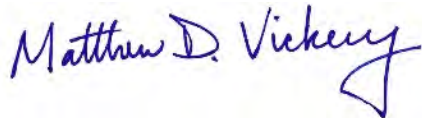
QA/QC measures to check that acreage with similar crops were assigned similar allocations.

### **III. Incorrect Well Locations Shown on the CMA Map**

In addition to the issues described above, Grimmway is concerned about the location of “reported wells” on the GSA’s map of the CMA. Grimmway has provided to the GSA and its contractors GIS shape files and maps showing the location of its wells, yet several Grimmway wells were left off the map, several wells were included that may have existed at some time but are no longer active, and several wells were shown in the wrong location. GSA board members have also expressed concern over inaccuracies in the well layer at board meetings. Despite these comments and Grimmway’s cooperative effort to share its data, the well locations shown on the CMA map continue to be highly inaccurate. This has led to a confusing product that does not inspire confidence. The well layer needs to be further vetted prior to any subsequent publications.

In conclusion, Grimmway respectfully requests setting up a Zoom conference with GSA staff at its earliest convenience to discuss this issue and Grimmway’s findings from its review of the proposed allocation. Grimmway looks forward to resolving these items with you.

Best Regards,



Matthew D. Vickery  
Director of Land & Water Resources

### APN's Served by Wells Located in the CMA and Currently not Included in the CMA

Owner	Ranch Name	County	APN	Acres
Lapis Land Company, LLC	Erro	San Luis Obispo	096-441-014	595.16
Lapis Land Company, LLC	Erro	San Luis Obispo	096-441-015	160.50
Ruby Property Holdings, LLC	Hub Russell	Santa Barbara	149-310-005 (Southern Portion)	722.60
			<b>TOTAL</b>	<b>1,478.26</b>



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LIST 1  
DETAIL

1 Property Address:

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## Ownership

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County: **SANTA BARBARA, CA**  
 Assessor: **JOSEPH HOLLAND, ASSESSOR**  
 Parcel # (APN): **149-150-003**  
 Parcel Status: **ACTIVE**  
 Owner Name: **USA**  
 Mailing Address:  
 Legal Description:

## Assessment

---

Total Value:	Use Code: <b>5400</b>	Use Type: <b>AGRICULTURAL</b>
Land Value:	Tax Rate Area: <b>063-009</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract: <b>18.00/1</b>
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

## Sale History

---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>40.000</b>	Spaces:	Site Influence:
Lot SqFt: <b>1,742,400</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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LIST 1  
DETAIL

1 Property Address:

---

### Ownership

---

County: **SANTA BARBARA, CA**  
Assessor: **JOSEPH HOLLAND, ASSESSOR**  
Parcel # (APN): **149-150-018**  
Parcel Status: **ACTIVE**  
Owner Name: **USA**  
Mailing Address:  
Legal Description:

### Assessment

---

Total Value:	Use Code: <b>5400</b>	Use Type: <b>AGRICULTURAL</b>
Land Value:	Tax Rate Area: <b>063-009</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract: <b>18.00/</b>
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

### Sale History

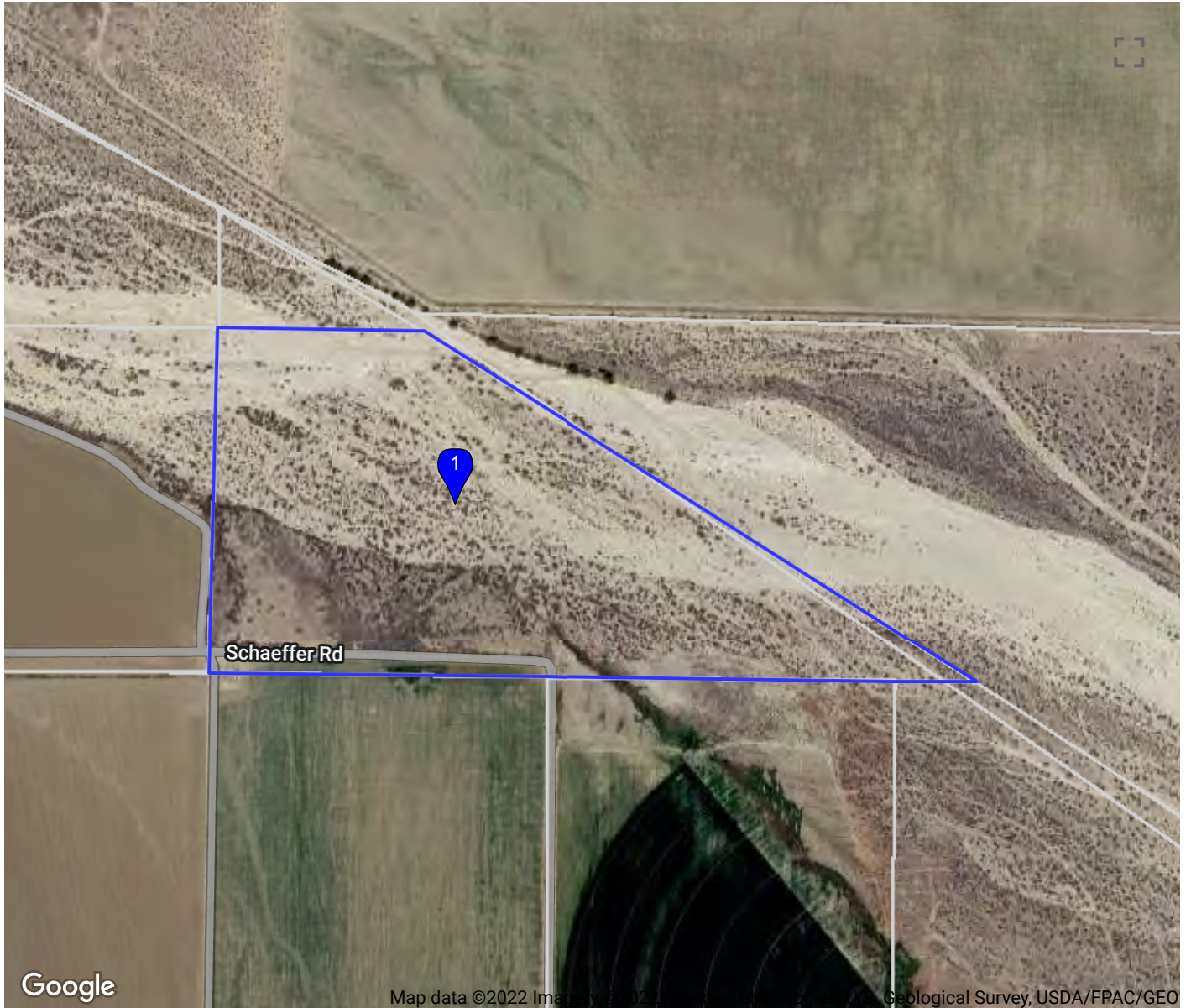
---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

### Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>40.000</b>	Spaces:	Site Influence:
Lot SqFt: <b>1,742,400</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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LIST 1  
DETAIL

1 Property Address:

---

### Ownership

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County: **SANTA BARBARA, CA**  
Assessor: **JOSEPH HOLLAND, ASSESSOR**  
Parcel # (APN): **149-150-038**  
Parcel Status: **ACTIVE**  
Owner Name: **USA**  
Mailing Address:  
Legal Description:

### Assessment

---

Total Value:	Use Code: <b>8000</b>	Use Type: <b>VACANT</b>
Land Value:	Tax Rate Area: <b>063-009</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract: <b>18.00/1</b>
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

### Sale History

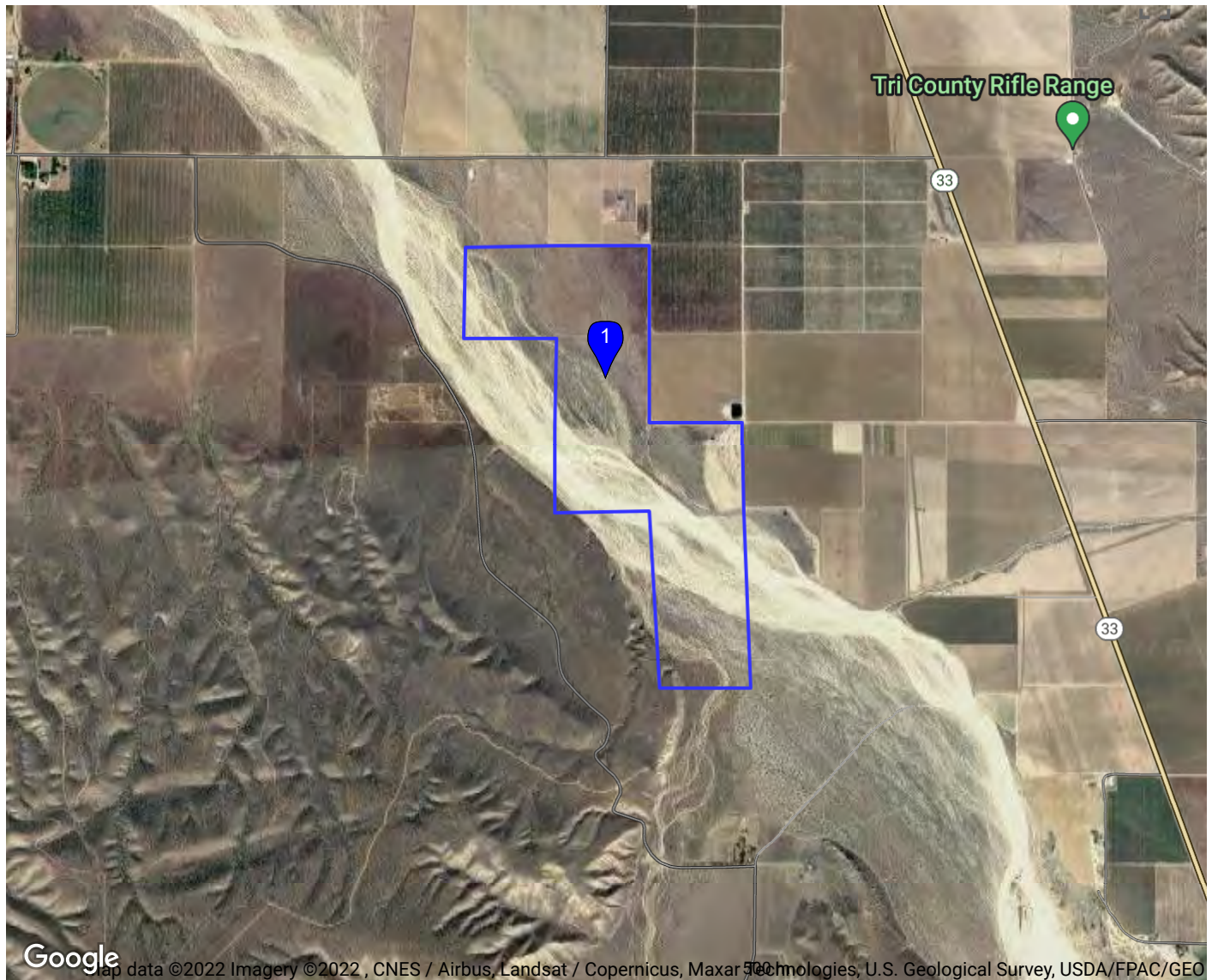
---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

### Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>51.000</b>	Spaces:	Site Influence:
Lot SqFt: <b>2,221,560</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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LIST 1  
DETAIL

1 Property Address:

---

## Ownership

---

County: **SANTA BARBARA, CA**  
 Assessor: **JOSEPH HOLLAND, ASSESSOR**  
 Parcel # (APN): **149-170-008**  
 Parcel Status: **ACTIVE**  
 Owner Name: **USA**  
 Mailing Address:  
 Legal Description:

## Assessment

---

Total Value:	Use Code: <b>5400</b>	Use Type: <b>AGRICULTURAL</b>
Land Value:	Tax Rate Area: <b>063-009</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract:
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

## Sale History

---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>280.000</b>	Spaces:	Site Influence:
Lot SqFt: <b>12,196,800</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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LIST 1  
DETAIL

1 Property Address:

---

## Ownership

---

County: **SAN LUIS OBISPO, CA**  
 Assessor: **TOM BORDONARO, ASSESSOR**  
 Parcel # (APN): **096-211-035**  
 Parcel Status: **ACTIVE**  
 Owner Name: **UNITED STATES OF AMERICA**  
 Mailing Address:  
 Legal Description: **T10N R25W PTN SEC 28**

## Assessment

---

Total Value:	Use Code: <b>857</b>	Use Type: <b>GOVERNMENT</b>
Land Value:	Tax Rate Area: <b>070-002</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract:
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

## Sale History

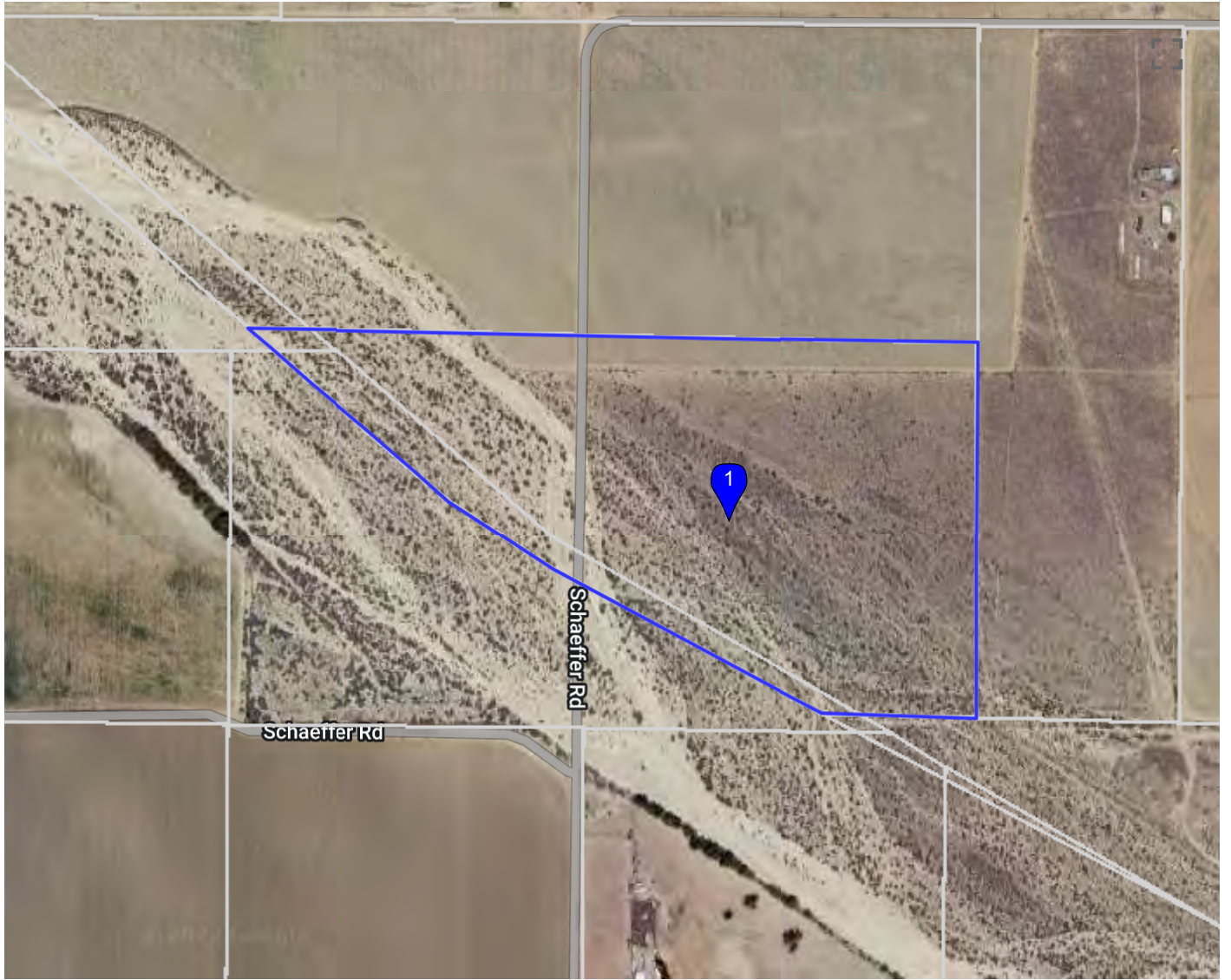
---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>123.000</b>	Spaces:	Site Influence:
Lot SqFt: <b>5,357,880</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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LIST 1  
DETAIL

1 Property Address:

---

### Ownership

---

County: **SAN LUIS OBISPO, CA**  
Assessor: **TOM BORDONARO, ASSESSOR**  
Parcel # (APN): **096-441-053**  
Parcel Status: **ACTIVE**  
Owner Name: **UNITED STATES OF AMERICA**  
Mailing Address:  
Legal Description:**080.00AC GRAZING**

### Assessment

---

Total Value:	Use Code: <b>857</b>	Use Type: <b>GOVERNMENT</b>
Land Value:	Tax Rate Area: <b>070-002</b>	PQ Zoning:
Impr Value:	Year Assd: <b>2022</b>	Census Tract:
Other Value:	Property Tax:	Price/SqFt:
% Improved: <b>0%</b>	Delinquent Yr:	
Exempt Amt:	HO Exempt: <b>N</b>	

### Sale History

---

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				
Document Number:				
Document Type:				
Transfer Amount:				
Seller (Grantor):				

### Property Characteristics

---

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: <b>34.340</b>	Spaces:	Site Influence:
Lot SqFt: <b>1,495,850</b>	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Submit this form, **including a \$250 fee** (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name: HOEKSTRA FAMILY TRUST 5/6/99 (AKA "Cuyama Dairy")

Date: August 31, 2022

Phone: 805-750-0634; 805-750-2404

Email: pdhoek@live.com; aaronhoekstra@yahoo.com; dan@bbr.law

Assessor Parcel Number(s) (APN): Inside CMA - 149-150-017 & 149-150-019  
Oustide CMA - 149-150-024 & 149-150-026

**Please describe the basis for your request and attach any supporting documentation**

Our lands within the Central Management Area ("CMA") have been allocated approximately 244 a/f for 2023. We are not presently challenging the amount of the allocation, as it appears to be mathematically correct based on the results of the model.\* We intend to reduce our use within the CMA in accordance with the allocation and the GSA's reduction schedule for 2023-2024. We do, however, request a variance from the GSA's policy that the allocation will be "managed at the wellhead." The reason for our request is because relying solely on the meter at the wellhead on our well that is located within the CMA will not accurately account for our anticipated reduction in use on our lands that are located within the CMA (to which the allocation is attached) and will overstate our use within the CMA.

Our water use operation is complex and unique as compared to others within the CMA. This is due to the fact that we are the only dairy operation in the area. We own four parcels of land that are adjacent to one another. (See map on following page). Two of our parcels are within the CMA and two are outside of the CMA. We also use two wells for our operation. One of the wells is inside the CMA and the other is not. Our well that is located within the CMA (and which is the well that will be managed by the GSA's policy) is within 500 feet of the GSA-determined boundary (and even closer to the model generated boundary). This well is used, in part, to irrigate tree crops that are located outside of the CMA. It is also used, in part, to pump water to a reservoir located outside of the CMA, which water is then boosted back into the CMA for use on forage crops.

Our lands within the CMA are used exclusively to grow forage crops. These crops are normally irrigated with recycled water from our dairy operation (an efficient practice that reduces our need to pump groundwater). The recycled water is stored in the reservoir located outside the CMA.

(Continued on next page)



# VARIANCE REQUEST FORM

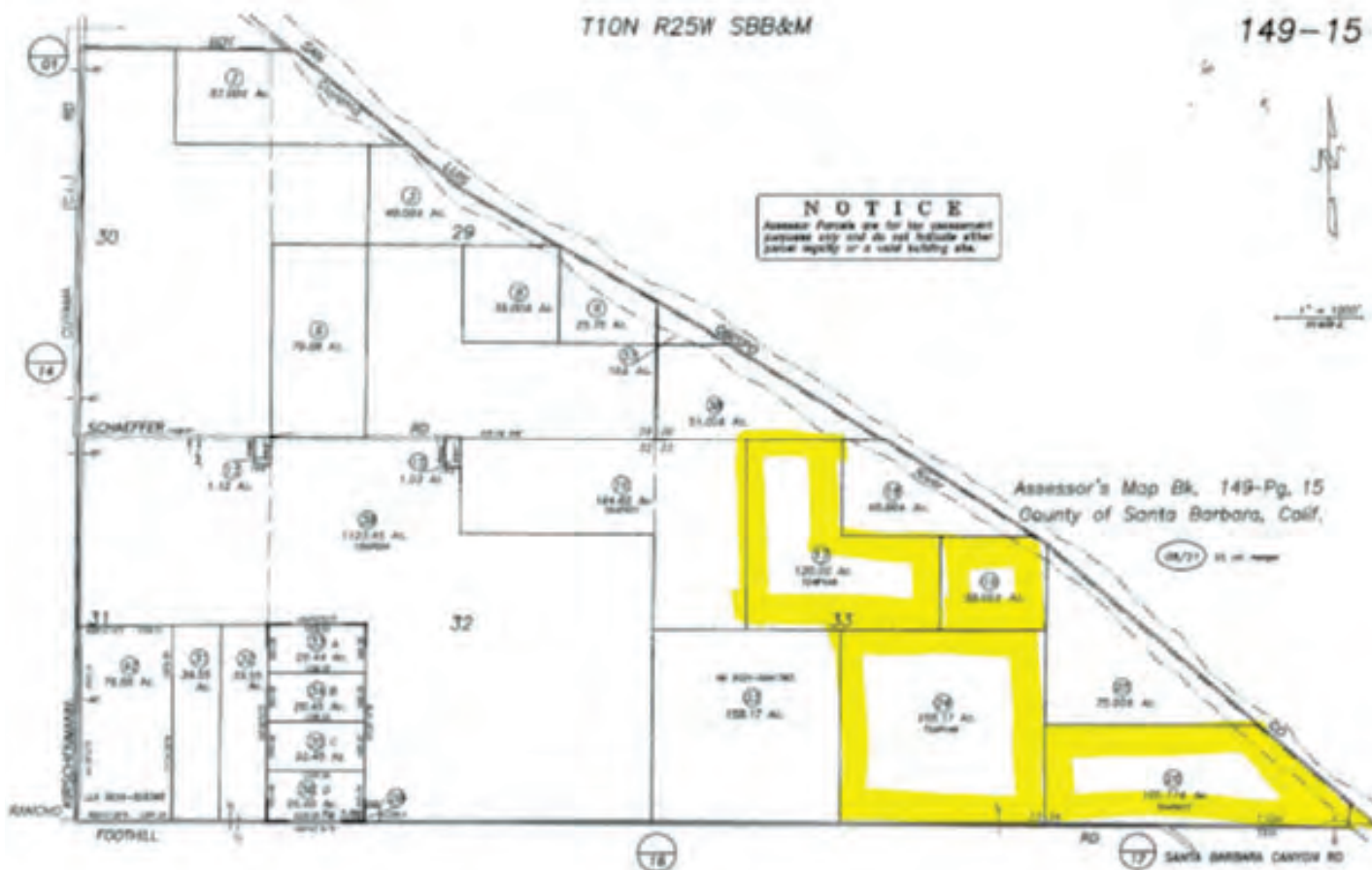
For 2023 and 2024 in the Central Management Area  
 CUYAMA DAIRY - PAGE 2

When the recycled water in the reservoir is insufficient to meet the demands of our crops within the CMA, we use our well within the CMA to supplement those supplies. Only the water that is used on the crops within the CMA should be counted against our allocation (since it is based upon use on those lands).

In light of the foregoing, we request a variance from the policy of managing our allocation at the wellhead. We propose installing a meter at our booster pump from the reservoir, which would measure how much water is actually applied on our lands within the CMA. This would accurately measure our use within the CMA and demonstrate whether we are complying with the GSA's allocation.

We are willing to make our presentation to an ad-hoc committee of the Board or to the GSA Board if requested. We appreciate your consideration of our request.

\*We do not agree that the GSA's allocation accurately represents the water rights associated with our properties. Nothing herein shall be interpreted as an admission on our part with respect to the nature or extent of our water rights. We reserve the right to challenge the allocation in the current groundwater adjudication proceedings and in any other proceeding (including before the GSA) relating to any allocation of water for use on our properties within the basin.





September 1, 2022

VIA E-MAIL

TAYOR BLAKSLEE  
Hallmark Group  
4900 California Ave., Tower B, Second Floor  
Bakersfield, CA 93309

**Re: Request for Variance**

Enclosed herewith is Variance Request Form for 2023 and 2024 in the Central Management Area submitted on behalf of Wm. Bolthouse Farms, Inc. and Bolthouse Land Company, LLC. We put out \$250 check in the mail to your office yesterday.

Please reach out if you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "D. Clifford", is written over a faint, light blue circular watermark or seal.

DANIEL T. CLIFFORD  
Vice-President General Counsel

DTC:nv  
Attachment

cc: Dennis P. Gallagher, II., Esq.  
Matthew R. Ayres, Esq.  
Dan Wilke



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Submit this form, **including a \$250 fee** (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name: WM. BOLTHOUSE FARMS, INC. / BOLTHOUSE LAND COMPANY, LLC

Date: 9/1/2022

Phone: \_\_\_\_\_

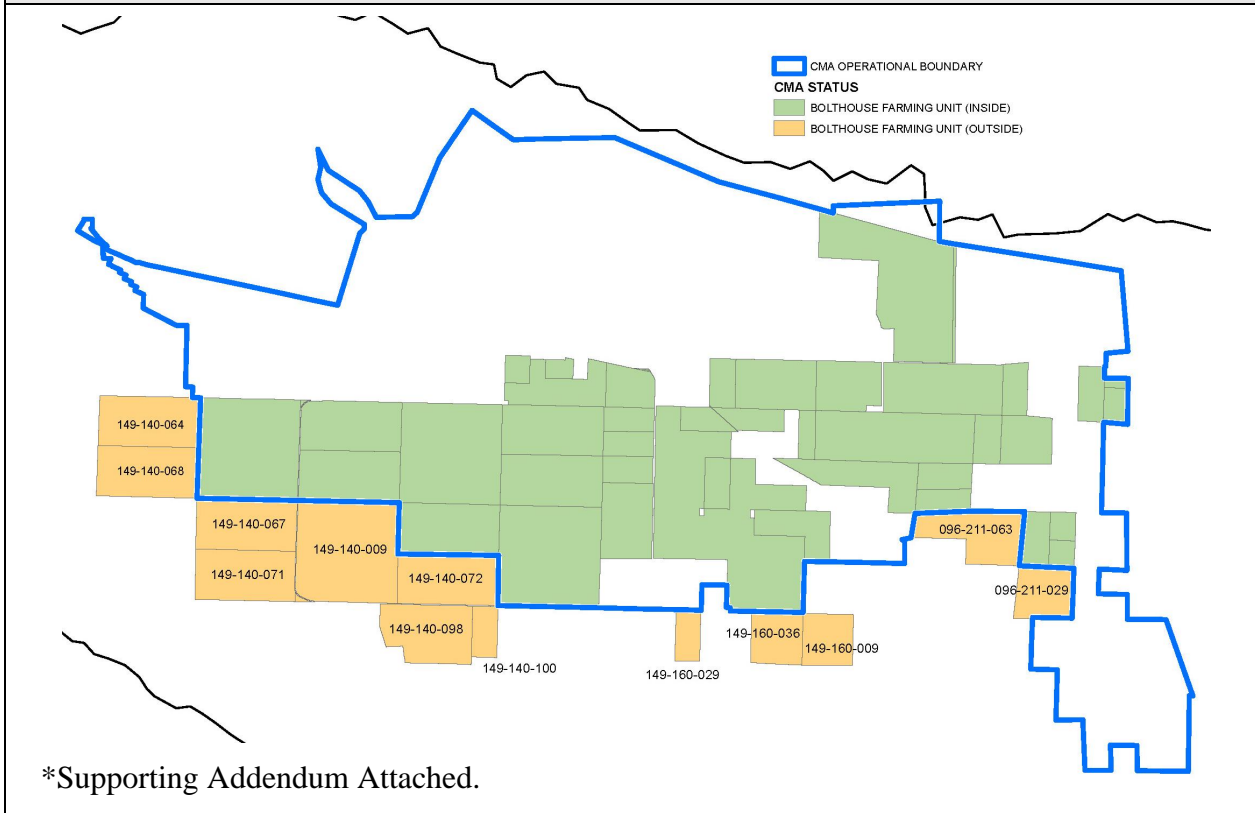
Email: Dan.Wilke@bolthouse.com; bdebranch@bolthouseproperties.com

Assessor Parcel Number(s) (APN): \_\_\_\_\_

096-211-029, -063;

149-140-009, -064, -067, -068, -071, -072, -098, -100; 149-160-009, -029, -036

Please describe the basis for your request and attach any supporting documentation



**ADDENDUM TO VARIANCE REQUEST**

Wm. Bolthouse Farms Inc. and Bolthouse Land Company collectively request that the parcels identified on Exhibit “A” be included within the Central Management Area (“CMA”) for purposes of an interim allocation. This request is consistent with California water law and recognizes that the parcels that have been excluded from the CMA because of the redrawing of the operational boundary of the CMA are part of a single farming unit. The redrawing of the CMA violates the long-standing legal principal established by California Courts wherein it has been recognized that “[s]o long as the property owner’s property actually overlies a portion of the water known as the groundwater basin, there is no legal requirement that the method of extraction be located within the four corners of the property.” *Hildreth v. Montecito Water Creek Water Co.* (1903) 139 Cal. 22, 29.

**EXHIBIT "A"**

APN:

096-211-029

096-211-063

149-140-009

149-140-064

149-140-067

149-140-068

149-140-071

149-140-072

149-140-098

149-140-100

149-160-009

149-160-029

149-160-036

September 1, 2022

Stephanie O. Hastings  
Attorney at Law  
805.882.1415 direct  
shastings@bhfs.com

**VIA EMAIL TO:TBLAKSLEE@HGCPM.COM**

Taylor Blakslee  
Assistant Executive Director  
Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, Suite 210  
Bakersfield CA 93309

RE: Variance Request – Jason M. & Mary Jo Harrington Revocable Living Trust  
(APN 149-170-047)

Dear Mr. Blakslee:

This letter is submitted on behalf of Jason M. & Mary Jo Harrington Revocable Living Trust (Harrington) with regard to the parcel located on Foothill Road in Santa Barbara County (APN 149-170-047) (the “Parcel”) in response to the Cuyama Basin Groundwater Sustainability Agency’s (GSA) “Notice of Central Management Area Policies and Landowner Requirements” dated July 30, 2022 (the “Notice”). This letter provides general comments and objections on the Notice that purports to describe “Central Management Area Policies and Landowner Requirements” (CMA Allocation Policy) and serves as a Variance Request to correct information related to the Parcel.

## **I. General Comments and Objections to CMA Allocation Policy**

As described herein, Harrington has significant concerns with the GSA’s Notice and the CMA Allocation Policy—most importantly, that the GSA’s CMA Allocation Policy has the potential to impair common law water rights without due process of law—and therefore submits these comments for the GSA Board of Director’s (Board) consideration. Further, in light of recent comments made by GSA staff at the August 25, 2022 GSA Public Workshop acknowledging that the GSA plans to consider expanding the CMA Allocation Policy or to impose other pumping limitations on areas outside of the CMA, the Board should address these comments before undertaking any further implementation or expansion of the CMA Allocation Policy.

*The CMA Allocation Policy Conflicts with California Water Law*

The GSA does not have the power to determine or alter groundwater rights. The Sustainable Groundwater Management Act (SGMA) does not supplant the common law; rather it only supplements it. Yet the Notice purports to limit the pumping of a subset of the Basin's users without regard to any user's common law water rights. For example:

The CMA Allocation Policy, at least as it is presently described in the Notice, is geographically discriminatory—it constrains the pumping of only a subset of overlying landowners within the CMA, despite that all groundwater users within the Basin share the common source. As such, the CMA Allocation Policy does not comply with overlying groundwater rights law in that it limits the ability of some, but not all, landowners to exercise their correlative overlying right to groundwater from the Basin. This approach is inconsistent with the physically interconnected nature of the Basin and with common law water rights.

Moreover, in implementing SGMA, even area-specific responsive management actions must be specifically associated with avoiding undesirable results identified in the Cuyama Basin Groundwater Sustainability Plan. If pumping by a discrete area or growers must be physically restricted, that burden must be shared basin-wide by implementation of a physical solution that distributes that burden legally among all pumpers consistent with their water rights.

*The CMA Allocation Policy Should be Reconciled with the Ongoing Cuyama Basin Comprehensive Groundwater Adjudication*

The CMA Allocation Policy effectively seeks to quantify a subset of groundwater users' water rights outside of the ongoing *Bolthouse Land Company, LLC, et al. v. All Persons Claiming a Right to Extract Groundwater in the Cuyama Valley Groundwater Basin (No. 3-013)* (the "Adjudication"). The Adjudication seeks to quantify all groundwater rights within the Basin consistent with California water law. The Notice, which describes a program to limit pumping by imposing arbitrary cutbacks on a subset of users, conflicts with that action. Accordingly, the GSA should revise the CMA Allocation Policy to conform with the ongoing process to adjudicate groundwater rights throughout the Basin.

*The CMA Allocation Policy is Arbitrary and Unclear*

Numerous components of the CMA Allocation lack evidentiary support and therefore are arbitrary and unclear. For example:

The modeled and operational CMA boundary is arbitrary given that users within the CMA pump groundwater from the same aquifer as users outside of the CMA who are nevertheless exempt from the program. At the recent Cuyama GSA Public Workshop on August 25, 2022, staff acknowledged that the CMA boundary was selected for political reasons and had no scientific basis. Further, the CMA

Taylor Blakslee  
September 1, 2022  
Page 3

boundary was selected using Cuyama Basin Water Resources Model (CBWRM) results that have a margin of error based on model limitations and geographic projections that significantly impact CMA Allocation Policy implementation but remain unexplained.

The CMA Allocation Policy relies on land use data from the CBWRM to estimate groundwater use in a manner that is unclear and cannot be reproduced and verified by landowners. The Notice is not clear about the basis of the selected water use period and whether it accurately reflects historical and/or planned use for pumping, nor how this water use period correlates to the 2021 pumping reduction baseline.

The CBWRM data further does not consider land use and irrigation efficiency practices in setting the individual allocations. Accordingly, the CMA Allocation Policy penalizes landowners who voluntarily employed significant conservation measures to limit their water use or fallowed lands. Landowners that may have temporarily modified their groundwater production to convert to more water efficient uses may also be penalized. None of this information is evident from the CMA Allocation Policy.

*The CMA Allocation Policy Should Have Been Adopted Through A Formal Action And Was Not*

Although Harrington appreciates that the GSA Board has conducted numerous meetings and engaged in numerous discussions regarding a proposed pumping reduction program and proposed allocation of Basin water supply for a subset of the Basin's landowners, Harrington is not aware of any formal GSA policy, rule or regulation regarding such program and allocation. Rather, it appears that the Notice and CMA Allocation Policy is the result of a series of Board directions provided over many months to GSA staff by minute order.

Because the CMA Allocation Policy is clearly intended as a regulation, a formal document is needed to explain and elucidate the program and its requirements. Although titled "Central Management Area Policies and Landowner Requirements," the Notice and estimated allocation assigned to certain Basin landowners has the effect of a regulation that limits groundwater pumping by a subset of the Basin's landowners without due process and in conflict each landowner's exercise of its overlying property right in the Basin. The Notice also proposes to impose monetary and other penalties on those listed landowners who use groundwater in excess of the assigned estimated allocation. As such, the CMA Allocation Policy must be adopted through a formal ordinance that imposes specific regulations (allocations) and penalties for failure to comply with such regulations on landowners within the CMA to ensure that affected landowners receive due process.

An ordinance also is necessary to clearly document and allow for public comment on the mechanics of the policy's requirements to allow for meaningful public participation and informed decision-making. Notably, the meeting minutes for the July 6, 2022 Board meeting are currently not published. Further, the GSA's Standing Advisory Committee plans to consider and provide direction to the Board



Taylor Blakslee  
September 1, 2022  
Page 4

regarding certain aspects of CMA Allocation Policy at the September 1, 2022 meeting after the deadline to submit a Variance Request. As such, members of the public have no way to confirm that the Notice circulated to landowners on July 29, 2022, as well as the pumping reduction program it describes, and the resulting estimated allocations, conforms with the Board's direction by minute order.

#### *The Variance Request Process Is Flawed*

First, the Notice does not set forth clear criteria or findings that the Board will use to determine whether to grant a variance, which may lead to arbitrary and capricious decision-making.

Second, the Notice does not provide the data upon which the proposed allocations are based in a transparent manner that would allow for landowners to ascertain data errors as needed to submit a Variance Request Form. The data tables attached to the Notice fail to provide landowners with any information as to the modeled calculation of an individual allocation such that a landowner can understand the potential source of data errors.

Third, the Notice does not make it clear to landowners that do not intend to submit a Variance Request Form that their individual allocation may change in response to the Board's action to grant a variance requested by another landowner. All landowners should be fully informed of the need and right to participate in the variance process in order to preserve their rights and avoid penalties.

Lastly, the California Constitution and SGMA contain specific substantive and procedural requirements on the adoption of fees and charges. The Cuyama GSA has not complied with any of these requirements in its adoption of a \$250 fee to submit a Variance Request Form.

#### *The Board Has Not Yet Complied with the California Environmental Quality Act*

The GSA's actions are subject to the California Environmental Quality Act (CEQA). At such time as the Board does take any formal action with respect to CMA Allocation Policy, the Board must consider whether the CMA Allocation Policy will have a direct or reasonably foreseeable indirect impact on the environment due to the potential for landowners to need to fallow land in order to comply with the program. The fallowing of land in response to the proposed allocation has reasonably foreseeable direct and indirect impacts on the environment including, but not limited to, impacts on air quality, land use and biological resources.

## **II. Request for Variance**

Subject to and without waiving the comments and objections set forth in this letter, we submit: (1) a Variance Request Form (Attachment 1); (2) Variance Request Supporting Information (Attachment 2); and (3) a \$250 check for the Variance Request Fee, which is paid under protest for the reasons set

Taylor Blakslee  
September 1, 2022  
Page 5

forth in the comments above. This request fundamentally seeks that Harrington receives an allocation consistent with similarly situated neighboring property owners.

Please be advised that Brownstein also is in the process of developing additional information to support the ongoing Comprehensive Groundwater Adjudication for the Cuyama Basin and reserves the right to supplement this Variance Request and the supporting information as new information becomes available.

Harrington's 42.18 acre Parcel has been planted with approximately 38 acres of pistachio orchard since roughly 1982. Planting of the orchard on the Parcel coincides with the planting of approximately 40 acres of pistachios on neighboring parcels. Roy Harrington and Jason Harrington managed both the Harrington and a neighboring parcel beginning in 1998, when they took over management responsibilities from their father. Roy and Elisabeth Harrington, along Jason and Ryan Harrington, purchased the Parcel in 2007 and have maintained the same farming practice across all the parcels that they manage. Given the similar age, acreage and location of the pistachio orchards in the area, these orchards should have nearly identical water use.

In fact, three neighboring parcels all contain pistachio orchards of similar size that rely on the same water source, shared water infrastructure, and are similarly irrigated. For example, the three parcels all are entitled to take delivery of one-third of all groundwater pumped from the well subject to the Well Sharing Easement Agreement, dated Nov. 15, 2017 and attached hereto as Attachment 2, Exhibit 1 (Agreement). Pursuant to this Agreement, the parties share equally the water pumped from the well and all GSA and Pacific Gas and Electric, costs associated with this well and water use.

Copies of the GSA Water Use Forms and available meter data are attached as Attachment 2, Exhibit 2 for reference. Notably, these forms were filed by Harrington for the three neighboring parcel acreage based on each parcel using 119.6 AF per year to irrigate each respective 40 acre pistachio orchard. Further, water use records for all three parcels generally indicate that the parcels use more than the Notice's recent estimated water use for the Harrington Parcel. These records and the fact that the three parcels are under identical management and employing a proportionate cost split strongly indicate that the Harrington Parcel should receive a larger allocation similar to comparable parcels with comparable orchards in the area. (See Attachment 2, Exhibit 2.)

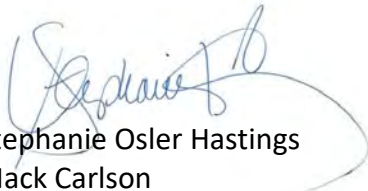
In addition, Harrington desires to correct the GSA's well information for the parcels. The Agreement covers the only well that currently irrigates the three parcels; it was drilled in 2016 and is located on the Harrington Parcel. (See Attachment 2, Exhibit 3.) Prior to the construction of this well, the parties to the Agreement shared a well located on a neighboring parcel (APN 149-170-050). The GSA thus should correct its records to reflect this information.

Taylor Blakslee  
September 1, 2022  
Page 6

In summary, Harrington requests that the GSA increase their Parcel's allocation based on the available records to an allocation of approximately 140 AF in 2023 and 135 in 2024 and correct the GSA's well records.

Thank you for your consideration of these comments and this request. Should you have questions, please contact me at (805) 882-1415 or Shastings@bhfs.com or Mack Carlson at (805) 882-1485 or Mcarlson@bhfs.com.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Stephanie Osler Hastings", is written over a large, light blue circular scribble.

Stephanie Osler Hastings  
Mack Carlson

Enclosure: Attachment 1. Variance Request Form  
Attachment 2. Variance Supporting Information

Cc: Roy and Elisabeth Harrington (via email)  
Joe D. Hughes, Klein DeNatale Goldner (via email)

**Attachment 1**



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Submit this form, **including a \$250 fee** (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name:	Roy and Elisabeth Harrington for Harrington Jason M & Mary Jo Revocable Living Trust
Date:	September 1, 2022
Phone:	(805) 882-1415 or (805) 882-1485
Email:	shasting@bhfs.com or mcarlson@bhfs.com
Assessor Parcel Number(s) (APN):	147-170-047

**Please describe the basis for your request and attach any supporting documentation**

See Variance Request Letter.

**Attachment 2**

**Exhibit 1**



2017-0054977

Recorded at Request of  
Old Republic Title Company

Recorded  
Official Records  
County of  
Santa Barbara  
Joseph E. Holland  
County Clerk Recorder

REC FEE

82.00

**RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:**

Law Office of Melanie J. Aldridge  
7638 N. Ingram Avenue, Suite 202  
Fresno, CA 93711

08:00AM 15-Nov-2017 | MM  
Page 1 of 20

Title Order No. N/A  
Escrow No. 1411008299-Accommodation

APNs 149-170-047, 149-170-050 (County of Santa Barbara)  
APN 096-211-032 (County of San Luis Obispo)

**WELL SHARING EASEMENT AGREEMENT**

**R&T 11911 No Consideration**

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

**DOCUMENTARY TRANSFER TAX is \$: 0.00**

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- Unincorporated area  City of **AND**



Recorded at Request of  
Old Republic Title Company

RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:

Law Office of Melanie J. Aldridge  
7638 N. Ingram Avenue, Suite 202  
Fresno, CA 93711

Title Order No. N/A  
Escrow No. 1411008299-Accommodation

APNs 149-170-047, 149-170-050 (County of Santa Barbara)  
APN 096-211-032 (County of San Luis Obispo)

#### WELL SHARING EASEMENT AGREEMENT

This Well Sharing Easement Agreement ("Agreement") is made effective as of May 1, 2017, by and among (i) Roy Harrington and Elisabeth Harrington, as trustees of the Roy and Elisabeth Harrington Living Trust dated March 31, 2017, Jason M. Harrington and Mary Jo Harrington, as Trustees of the Jason M. Harrington and Mary Jo Harrington Revocable Living Trust dated September 2, 2015, and Ryan Patrick Harrington and Amy Lynn Harrington, as Trustees of the Ryan Patrick Harrington and Amy Lynn Harrington Family Trust dated April 19, 2016 (collectively, "Harrington"), (ii) Douglas A. Slumskie and Diane L. Slumskie, as Trustees of the Slumskie Family Trust dated April 9, 1996, William D. Calhoon, as Trustee of the William D. Calhoon Trust dated May 24, 1989, Gale Robert Calhoon and Diannia Lynn Calhoon, as Trustees of the Gale Robert Calhoon and Diannia Lynn Calhoon Family Trust dated December 10, 1998 (collectively, "Slumskie"), and (iii) Ann M. Buck, as Trustee of the Survivor's Trust dated August 17, 2015 created under The Buck Family Trust ("Buck"). For convenience, Harrington, Slumskie and Buck are sometimes collectively referred to herein as the "Parties" and individually as a "Party." This Agreement is made with reference to the following facts and circumstances:

A. Harrington is the owner of certain real property located in Santa Barbara County, California, more particularly described below (the "Harrington Property"):

Lot 1 of Section 2 in Township 9 North, Range 25 West, San Bernardino Base and Meridian, in County of Santa Barbara, State of California, according to the Official Plat of the survey of said land on file in the Bureau of Land Management and approved February 17, 1882.

(APN 149-170-047)

B. Slumskie is the owner of certain real property located in Santa Barbara County, California, more particularly described below (the "Slumskie Property"):

The Southeast quarter of the Northeast quarter of Section 2, in Township 9 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat of the survey of said land on file in the Bureau of Land Management, and approved February 17, 1882.

Excepting therefrom the Southerly 200 feet of the Westerly 200 feet of said land.

(APN 149-170-050)

C. Buck is the owner of that certain real property located in the unincorporated area of the San

This document has been signed in counterpart.

Page 1 of 7

Luis Obispo County, California, more particularly described below (the "Buck Property"):

The Southwest quarter of the Southeast quarter of Section 35, in Township 10 North, Range 25 West, San Bernardino Meridian, in County of San Luis Obispo, State of California, according to the Official Plat thereof.

Except therefrom 60% of all oil, mineral and hydrocarbon rights in or under said land, but without any right of entry, as reserved by Alfred E. O'Day, et al., in deed recorded July 20, 1966 in Book 1403, Page 618, of Official Records.

Also excepting therefrom the remaining 40% of all oil, mineral and hydrocarbon rights in or under said land, without any right of entry, as reserved by Harvey F. Wilson and Marian I. Wilson, husband and wife, in deed recorded March 20, 1973 in Book 1715, Page 663, of Official Records.

Also reserving unto Grantors and excepting therefrom an easement for irrigation pipeline over the Southerly 10 feet and the Westerly 10 feet of said land.

(APN 096-211-032)

D. The Parties each paid the expenses associated with the installation of an irrigation well (the "Well") and the equipment necessary to operate the Well (collectively, the "Supporting Equipment") on the Harrington Property. The location of the Well and Supporting Equipment are identified on Exhibit A to this Agreement (the "Well Site").

E. The Parties desire to memorialize their agreement regarding the ownership and use of the Well and Supporting Equipment and to grant the easements and other rights necessary for each of the Parties to use the Well and access the Well Site for the benefit of the Harrington Property, the Slumskie Property and the Buck Property (collectively, the "Irrigated Property").

NOW, THEREFORE, in consideration of the above recitals and agreements contained herein, the Parties hereby agree as follows:

1. Ownership of Well and Supporting Equipment. Each of the Parties shall own and be entitled to use the Well and Supporting Equipment in order to take delivery of their respective shares of groundwater produced by the Well in the proportions set forth below:

Harrington	One-third
Slumskie	One-third
Buck	One-third

2. Maintenance and Repair Costs. The costs of development, installation, use, maintenance, removal or repair of the Well or any of the Supporting Equipment shall be allocated among the Parties in accordance with their proportional ownership of the Well and Supporting Equipment as set forth in Section 1. On the request of those Parties comprising two-thirds of the ownership interest in the Well or if otherwise required by law, each Party shall install and maintain a water meter to record the diversions of water from the Well at each Party's sole, respective cost. Also, each Party shall be responsible for that portion of the power charges necessary to operate the Well and the Supporting Equipment for the irrigation of their respective share of the Irrigated Property, including standby charges. If a Party is in default in the payment of any power charges, Excess Maintenance Fees (defined below) or any other charges provided for in this Agreement, such Party shall have no right to use the Well or Supporting

Equipment unless and until such Party pays current all delinquent power, Excess Maintenance Fees or other charges plus an amount equal to 10 percent per annum on the delinquent amount.

3. Grant of Easements. Harrington hereby grants a non-exclusive easement to each of Buck and Slumskie over the Well Site and the West 15 feet of the Harrington Property (the "Easement Area") for the purposes of ingress and egress to the Well Site and, upon reasonable notice to Harrington, for the operation, use, maintenance, repairs, improvements, inspection or testing of the Well and Supporting Equipment. Notwithstanding any other provision of this Agreement, under no condition do the easements or other rights granted herein include the right to replace the Well or drill a new Well on the Harrington Property.

4. Pipelines.

a. Common Pipeline. The Parties acknowledge that an existing single water distribution pipeline runs from the Well Site through the Harrington Property and to the Slumskie Property (the "Common Pipeline"). Harrington grants to Slumskie a pipeline easement over that portion of the Harrington Property on which the Common Pipeline is currently located as set forth on Exhibit A. Harrington and Slumskie shall each be equally responsible for the repair and maintenance of that portion of the Common Pipeline which runs from the Well to the existing valve boxes located on the Harrington Property and Slumskie Property, respectively. Harrington and Slumskie shall each be solely responsible for the repair and maintenance of pipelines (or portions thereof) which extend from their respective valve boxes through the Harrington Property and the Slumskie Property, respectively.

b. Buck Pipeline. Buck shall be solely responsible for the maintenance, operation, and repair of the water distribution pipeline running from the Well to the Buck Property (the "Buck Pipeline"). Harrington hereby grants to Buck a pipeline easement over that portion of the Harrington Property as set forth on Exhibit A. Buck shall be solely responsible for the repair and maintenance of the Buck Pipeline.

c. Individual Pipelines. Any other pipeline or other conduit conveying water from the Well to less than all of the Parties (an "Individual Pipeline") and shall be the sole property of the Party served by such Individual Pipeline and such Party shall be solely responsible for all repairs and maintenance of such Individual Pipeline.

5. Excess Capacity. The Parties acknowledge that one or each of them may acquire additional property in the future which could benefit from the use of water from the Well and Supporting Equipment, but which is not identified in this Agreement (the "Other Property"). The Parties agree each of them may use their respective one-third share of any water produced from the Well which is in excess of the amount of water necessary to irrigate the existing pistachio trees on the Irrigated Property (the "Excess Water") for other uses on the Irrigated Property and on up to 40 acres of Other Property, whether such Other Property is owned or leased. Notwithstanding the foregoing, none of the three Parties to this Agreement shall be entitled to receive more than 240 acre feet of water per year from the Well for use on their respective shares of the Irrigated Property and/or the Other Property without the consent of the other Parties. Each Party shall be responsible for payment of the power expenses associated with the use of their respective share of the Excess Water. Each Party who extracts Excess Water shall also be responsible for paying an amount equal to \$25 per acre foot of Excess Water extracted as payment for the wear and tear on the Well and Supporting Equipment (the "Excess Maintenance Fee"). By way of example, if Slumskie extracts 10 acre feet of Excess Water, then the Excess Maintenance Fee would be \$250 of which one-third would be paid to Harrington, one third would be paid to Buck and one third would be paid/retained by Slumskie.

6. Nature of Rights. The Easements, rights and obligations described in this Agreement shall be appurtenant to each of the Harrington Property, Buck Property and Slumskie Property and shall run with such property and inure to the benefit of and bind the Parties hereto and the heirs, legal representatives, grantees of the respective Parties. The rights, duties and obligations herein are for the benefit of Harrington, Buck and Slumskie and their successors in interest in the Irrigated Property and shall not be assigned or conferred for the benefit of third parties.

7. Reservation of Rights. Harrington reserves the right to itself and its successors and assigns in the Harrington Property the right to use any portion of the Harrington Property subject to this Agreement for any purposes which will not interfere with the other Parties exercise of their respective rights under this Agreement.

8. Entire Agreement. This Agreement, including the attached exhibits, encompasses the entire agreement of the Parties with respect to the Well and Supporting Equipment located on the Harrington Property, and supersedes all previous understandings and agreements between the Parties regarding the Well and Supporting Equipment, on the Harrington Property, whether oral or written.

9. Counterparts. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original and all of which, taken together, shall be deemed to be but one and the same instrument.

10. California Law. This Agreement shall be governed by and construed and enforced in accordance with California law.

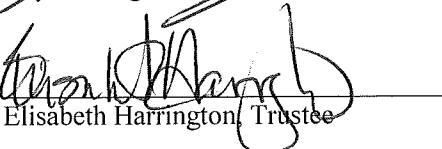
11. Waiver. The breach of or failure to enforce any breach or violation of any restriction contained in this Agreement shall not be deemed to be a waiver or abandonment of such restriction, or a waiver of the right to enforce any subsequent breach or violation of such restriction.

12. No Agency or Partnership. Nothing in this Agreement shall be deemed or construed by any person to create the relationship of principal and agent, or of limited or general partnership, or of joint venture, or of any other association between or among any of the Parties.

“HARRINGTON”

Roy and Elisabeth Harrington Living Trust  
dated March 31, 2017

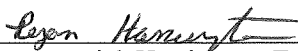
By:   
Roy Harrington, Trustee

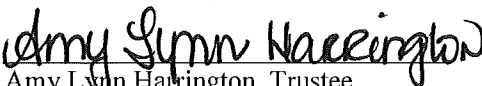
By:   
Elisabeth Harrington, Trustee

SIGNATURES CONTINUED ON NEXT PAGE

SEE ATTACHED  
ACKNOWLEDGEMENT  
Page 4 of 7

Ryan Patrick Harrington and Amy Lynn  
Harrington Family Trust dated April 19, 2016

By:   
Ryan Patrick Harrington, Trustee

By:   
Amy Lynn Harrington, Trustee

Jason M. Harrington and Mary Jo Harrington  
Revocable Living Trust dated September 2,  
2015

By:   
Jason M. Harrington

By:   
Mary Jo Harrington

“SLUMSKIE”

The Slumskie Family Trust dated April 9, 1996

By: \_\_\_\_\_  
Douglas A. Slumskie, Trustee

By: \_\_\_\_\_  
Diane L. Slumskie, Trustee

The William D. Calhoon Trust dated May 24,  
1989

By: \_\_\_\_\_  
William D. Calhoon, Trustee

The Gale Robert Calhoon and Diannia Lynn  
Calhoon Family Trust dated December 10, 1998

By: \_\_\_\_\_  
Gale Robert Calhoon, Trustee

By: \_\_\_\_\_  
Diannia Lynn Calhoon, Trustee

**Signed in counterpart**

SIGNATURES CONTINUED ON NEXT PAGE

Ryan Patrick Harrington and Amy Lynn  
Harrington Family Trust dated April 19, 2016

By: \_\_\_\_\_  
Ryan Patrick Harrington, Trustee

By: \_\_\_\_\_  
Amy Lynn Harrington, Trustee

Jason M. Harrington and Mary Jo Harrington  
Revocable Living Trust dated September 2,  
2015

By: \_\_\_\_\_  
Jason M. Harrington

By: \_\_\_\_\_  
Mary Jo Harrington

**Signed in counterpart**

“SLUMSKIE”

The Slumskie Family Trust dated April 9, 1996

By: \_\_\_\_\_  
Douglas A. Slumskie, Trustee

By: \_\_\_\_\_  
Diane L. Slumskie, Trustee

The William D. Calhoon Trust dated May 24,  
1989

By: \_\_\_\_\_  
William D. Calhoon, Trustee

The Gale Robert Calhoon and Diannia Lynn  
Calhoon Family Trust dated December 10, 1998

By: \_\_\_\_\_  
Gale Robert Calhoon, Trustee

By: \_\_\_\_\_  
Diannia Lynn Calhoon, Trustee

SEE  
ATTACHED  
CERTIFICATE

AUG 08 2017

ACKNOWLEDGMENT  
[H] JURAT  
[H] COPY CERTIFICATE

Notary Certificate  
Attached

SIGNATURES CONTINUED ON NEXT PAGE

“BUCK”

The Survivor’s Trust dated August 17, 2015  
created under the Buck Family Trust


By:   
Ann M. Buck, Trustee

EXHIBIT A

"Well Site"

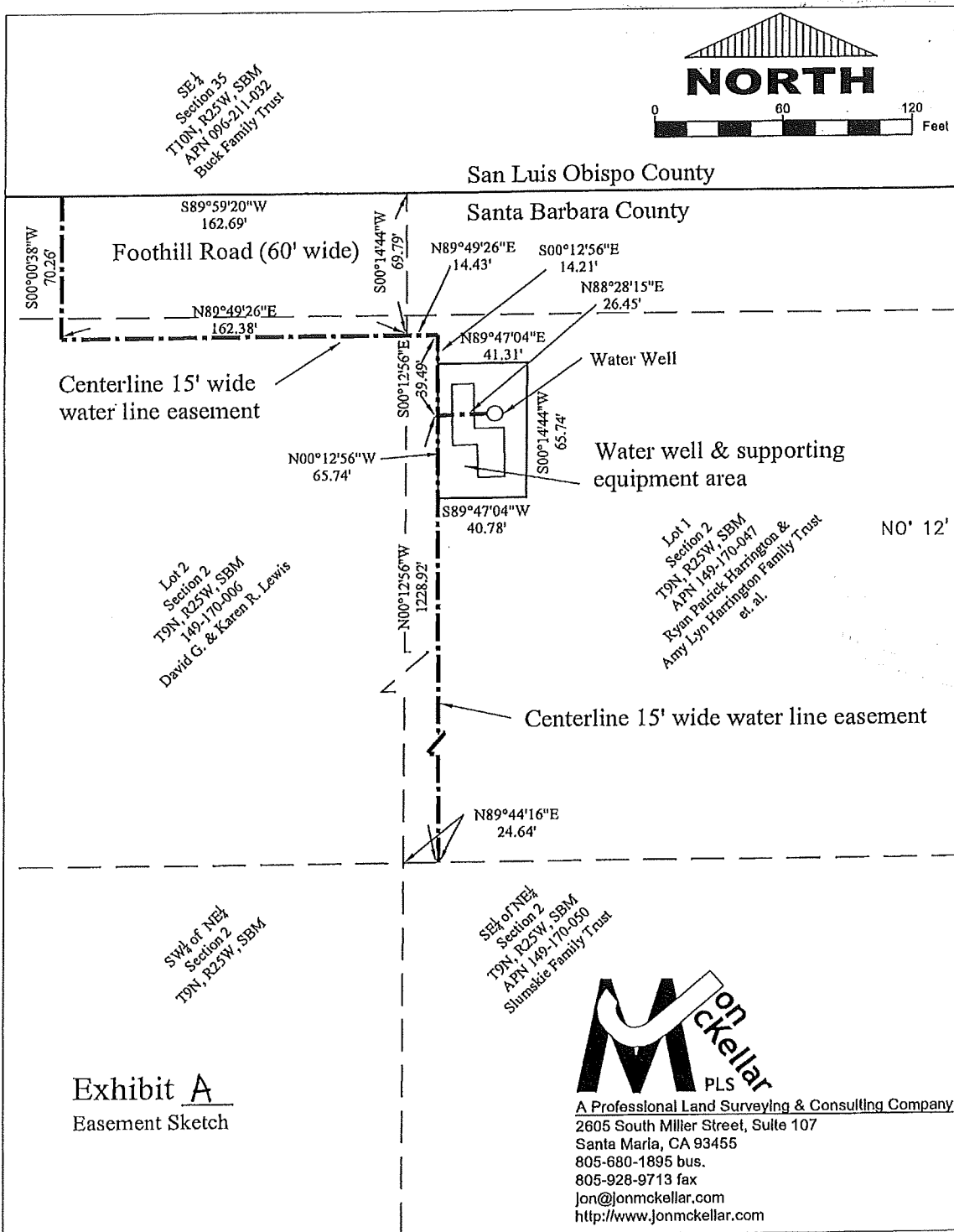


Exhibit A  
Easement Sketch



PLS  
A Professional Land Surveying & Consulting Company  
2605 South Miller Street, Suite 107  
Santa Maria, CA 93455  
805-680-1895 bus.  
805-928-9713 fax  
jon@jonmckellar.com  
http://www.jonmckellar.com



CERTIFICATE OF ACKNOWLEDGMENT

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.

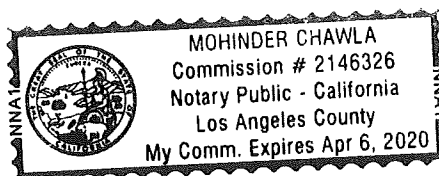
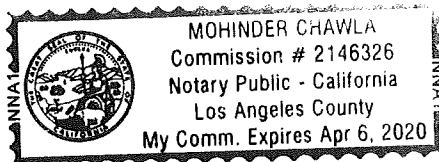
STATE OF CALIFORNIA )  
COUNTY OF   KENN   )

On   AUGUST 30/2017  , before me,   MOHINDER CHAWLA  , Notary Public, personally appeared   ROY LEE HARRINGTON  , 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.

  Mohinder Chawla    
Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

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.

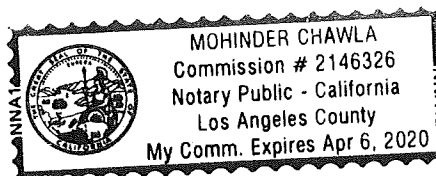
STATE OF CALIFORNIA            )  
 COUNTY OF KERN            )

On AUGUST 30/2017, before me, MOHINDER CHAWLA, Notary Public, personally appeared ELISABETH SUZANNE HANINGTON, 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.

Mohinder Chawla  
 Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

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.

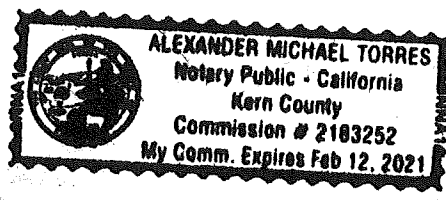
STATE OF CALIFORNIA            )  
 COUNTY OF Kern                )

On 8-21-17, before me, Alexander Michael Torres, Notary Public, personally appeared Humberto, Ryan Patrick, 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.

  
 Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

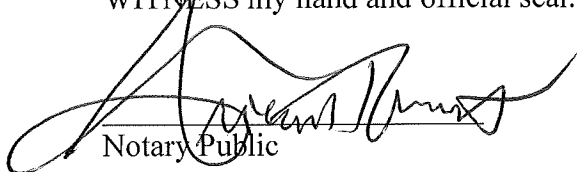
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

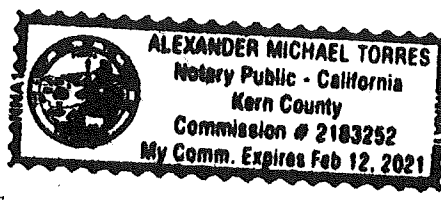
STATE OF CALIFORNIA            )  
 COUNTY OF Kern                )

On 8-21-17, before me, Alexander Michael Torres, Notary Public, personally appeared Harrington, Amy Lynn, 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.

  
 Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

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 Kern                )

On August 26, 2017, before me, Ashly Sierra, Notary Public, personally appeared Jason Mark Harrington, 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.

Ashly Sierra  
 Notary Public



CERTIFICATE OF ACKNOWLEDGMENT

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 Kern )

On August 26, 2015 before me, Ashly Sierra, Notary Public, personally appeared Mary Jo Harrington, 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.

Ashly Sierra  
Notary Public



# California All-Purpose Certificate of Acknowledgment

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 LOS ANGELES

} S.S.

On August 8, 2017 before me, Patrick F. Sullivan, Notary Public  
Name of Notary Public, Title

personally appeared DOUGLAS A. SUMSKIE AND  
Name of Signer (1)

DIANE L. SUMSKIE  
Name of Signer (2)

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.

Patrick F. Sullivan  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Showing EASEMENT Agreement containing \_\_\_\_\_ pages, and dated August 8, 2017.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_ Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information	
<b>Method of Signer Identification</b>	
Proved to me on the basis of satisfactory evidence:	
<input type="checkbox"/> form(s) of identification	<input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on:	
Page # _____	Entry # _____
Notary contact: <u>310-400-3818</u>	
Other	
<input type="checkbox"/> Additional Signer	<input type="checkbox"/> Signer(s) Thumbprints(s)
<input type="checkbox"/>	_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

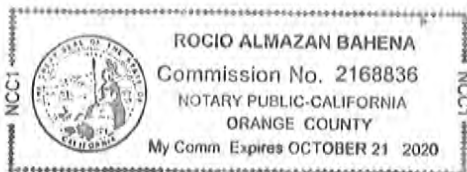
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Orange )
On Aug 8th, 2017 before me, Rocio Almazan Bahena, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared William D. Calhoon
Name(s) of Signer(s)

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 Rocio Almazan Bahena
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Well Sharing Easment Agmt Document Date:
Number of Pages: 1pg Signer(s) Other Than Named Above: no other signer(s)

Capacity(ies) Claimed by Signer(s)

Signer's Name: William D. Calhoon
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:



# California All-Purpose Certificate of Acknowledgment

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 Riverside

s.s.

On August 4, 2017 before me, Michelle Martinez, Notary Public  
Name of Notary Public, Title

personally appeared Gale Robert Calhoun  
Name of Signer (1)

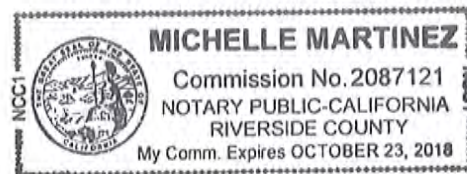
Dianna Lynn Calhoun  
Name of Signer (2)

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]  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Sharing Easement Agreement containing      pages, and dated     .

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_ Title(s) \_\_\_\_\_
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Min(s) of Public(s) Entity/Individual Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- form(s) of identification
- credible witness(es)

Notarial event is detailed in notary journal on:

Page #      Entry #     

Notary contact: \_\_\_\_\_

Other

- Additional Signer
- Signer(s) Thumbprints(s)
- \_\_\_\_\_

# California All-Purpose Certificate of Acknowledgment

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 Riverside

} s.s.

On September 20, 2018 before me, Michelle Martinez, Notary Public  
Name of Notary Public, Title

personally appeared Dianna Lynn Calhoon  
Name of Signer (1)

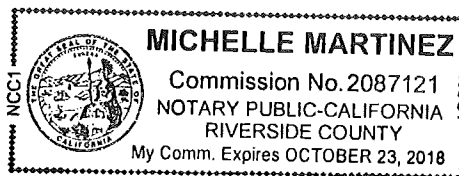
Gale Robert Calhoon  
Name of Signer (2)

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]  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Sharing Easement Agreement containing \_\_\_\_\_ pages, and dated \_\_\_\_\_.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information	
<b>Method of Signer Identification</b>	
Proved to me on the basis of satisfactory evidence:	
<input type="checkbox"/> form(s) of identification	<input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on:	
Page # _____	Entry # _____
Notary contact: _____	
Other	
<input type="checkbox"/> Additional Signer	<input type="checkbox"/> Signer(s) Thumbprints(s)
<input type="checkbox"/>	_____

## CERTIFICATE OF ACKNOWLEDGMENT

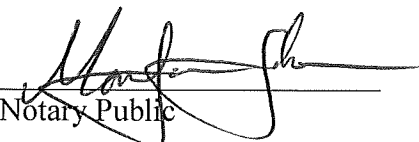
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

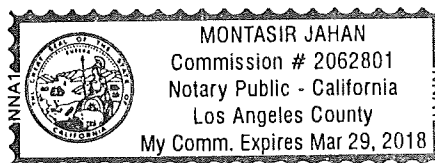
STATE OF CALIFORNIA            )  
 COUNTY OF Los Angeles    )

On 09/11/2017, before me, Montasir Jahan, Notary Public,  
 personally appeared Ann M. Buck, 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.

  
 Notary Public



**Exhibit 2**



## 2020 GROUNDWATER EXTRACTION FEE INFORMATION SHEET

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

### Background

In order to comply with the Sustainable Groundwater Management Act (SGMA), the Cuyama Basin Groundwater Sustainability Agency (CBGSA) was formed in 2017 to develop and implement a Groundwater Sustainability Plan (GSP) to achieve groundwater sustainability by 2040. The CBGSA is governed by an 11-member board with representatives from the four counties that intersect the Basin (Kern, Santa Barbara, San Luis Obispo, and Ventura), the Cuyama Community Services District, and the Cuyama Basin Water District.

### Fee Authority and Basis

Under water code section 10730.2, SGMA grants GSAs the authority to establish a groundwater extraction fee to fund implementation of the GSP. On November 6, 2019, the CBGSA Board of Directors passed Resolution 19-02 adopting a groundwater extraction fee for 2020 in the amount of **\$19 per acre-foot**. The basis for the fee is the CBGSA's fiscal year 2019-20 budget and estimated extractions of 60,000 acre-feet in the Cuyama Valley for 2019.

### Payment Instructions

Metered Use	Non-Metered Use	De Minimis User
If your well is metered, you <b>must</b> use Form A (you cannot use a non-metered form). Submit payment to the below address.	If your water use is not metered, please use one of the below form(s) to provide the best estimate of your water use and submit payment to the below address.	De minimis users are not subject to the groundwater extraction fee but must still complete Form E.
<i>Use Form:</i> A – Metered Use	<i>Use Form(s):</i> B – Pump Efficiency Test C – Agriculture Use D – Municipal & Industrial	<i>Use Form:</i> E – De Minimis User

### *Make Payment and Send Completed Forms to:*

Attn: Cuyama Basin Groundwater Sustainability Agency  
500 Capitol Mall, Suite 2350  
Sacramento, CA 95814

### Payment Due Date and Penalty Fees

Payment is due by January 31, 2020. Payment received after this date will be subject to a 10% late fee with an escalation rate of 1% for each month after.

### Groundwater Extraction Fee Report

For additional details on the groundwater extraction fee, please see attached Resolution 19-02 establishing a groundwater extraction fee. The full groundwater extraction report can be accessed on our website at <http://cuyamabasin.org/resources>.

### Contact

If you have questions, please contact Taylor Blakslee at (661) 477-3385, or [tblakslee@hgcpm.com](mailto:tblakslee@hgcpm.com).

**RESOLUTION NO. 2019-02**

**A RESOLUTION OF  
THE BOARD OF DIRECTORS OF  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY  
DETERMINING AND ESTABLISHING A GROUNDWATER EXTRACTION  
FEE AGAINST ALL PERSONS OPERATING GROUNDWATER  
EXTRACTION FACILITIES WITHIN THE CUYAMA BASIN**

**WHEREAS**, pursuant to the Sustainable Groundwater Management Act (SGMA), Groundwater Sustainability Agencies (GSA) are authorized to collect regulatory fees (Wat. Code, § 10730) and extraction fees (Wat. Code, § 10730.2); and

**WHEREAS**, SGMA gives a GSA the authority to impose fees to fund the cost of preparing and implementing its Groundwater Sustainability Plan (GSP), including the preparation and amendment of a sustainability plan, investigation of groundwater conditions, compliance assistance, enforcement, program administration, implementation, and other activities necessary or convenient to implement the GSP; and

**WHEREAS**, the type of fees that can be imposed to fund the cost of GSP implementation include fees on groundwater extraction; and

**WHEREAS**, the GSA gave notice concerning these fees as follows:

1. By posting on the website of the GSA at [www.cuyamabasin.org](http://www.cuyamabasin.org) on October 17, 2019.
2. By mailing to all landowners within the boundaries of the GSA notice of the public fee hearing.
3. The notice included:
  - The time and place of the hearing;
  - A general explanation of the fee under consideration; and
  - A statement that the data on which the fee is based is publicly available.
4. At least 20 days prior to the public meeting, the GSA made the data upon which the fee is based available to the public on the GSA's website.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Cuyama Basin Groundwater Sustainability Agency that a groundwater extraction fee should be levied as follows:

1. A groundwater extraction fee of \$19 per acre foot shall be levied on all groundwater extracted from within the GSA boundary. Commercial water users using 1.5 acre feet or less in a year per well and domestic water users using 2.0 acre feet or less in a year per well are deemed to be de minimis users and exempt from this fee.

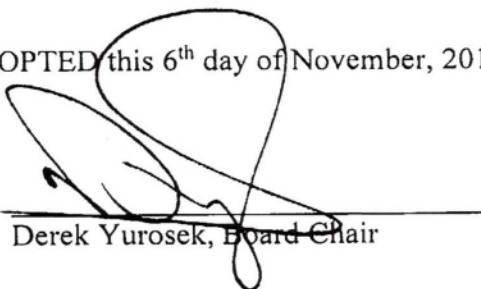
2. The 2019 Groundwater Extraction Fee Report (Report) on which the extraction fee is based is attached as **Exhibit A**, and incorporated herein by reference. The Report is approved and adopted, and GSA staff is directed to comply with its provisions.

3. The Board of Directors of Cuyama Basin Groundwater Sustainability Agency, makes the following findings, based upon the testimony and evidence (including exhibits) presented at said public hearing:

(a) Revenues derived from the groundwater extraction fee will not exceed the funds required to provide for implementation of GSP and related administrative services.


(b) Revenues derived from the groundwater extraction fee shall not be used for any purpose other than that for which the groundwater fee is imposed.

PASSED, APPROVED, AND ADOPTED this 6<sup>th</sup> day of November, 2019.



Derek Yurosek, Board Chair

ATTEST:



James M. Beck  
Executive Director



# Form A METERED USE

WATER USE WORKSHEET – 2019  
Cuyama Basin Groundwater Sustainability Agency

Name Roy Harrington  
Address [Redacted]  
Phone Number [Redacted]

**LATE FEE**  
Extraction Statement and Fees are due by January 31, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.

**Instructions:**

1. Input well ID and location in columns A and B
2. Input metered water use in column C for 2019\*.
3. Multiply values in column C by the groundwater extraction fee in column D and input result in column E.
4. Total the amounts in column E.
5. Pay the amount from column E to the Cuyama Basin Groundwater Sustainability Agency at the following address:

Attn: Cuyama Basin Groundwater Sustainability Agency  
500 Capitol Mall, Suite 2350  
Sacramento, CA 95814

*\*If the year 2019 is not complete at the time of filling out this form, please estimate water use for the remaining months by prorating water use from the actual months in 2019.*

**Payment Calculation**

A	B	C		D		E
Well ID	Well Location (APN or Address)	Metered Water Use in 2019 (acre-feet)		Groundwater Extraction Fee (\$/af)		Amount due to the CBGSA
	149-170-047	371	X	\$19	=	\$ 7049
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
Total:						\$ 7049-



TRIPLE H FARMING, LLC

201031

11-35/1210 CA  
72556

DATE 12-31-19

PAY TO THE ORDER OF Cuyama Basin Groundwater Sustainability Agency \$ 2356.00  
Two thousand three hundred fifty-six & 10/100 DOLLARS

Bank of America

ACH R/T 121000358

FOR Apr. 14A-170-047 2020 groundwater extraction fee

*[Signature]*

Photo Safe Deposit Details on back

2465

CCSH FARMS LLC

DATE 12-16-19

90-3582/1222

PAY TO THE ORDER OF Cuyama Basin Groundwater Sustainability Agency \$ 2,346.50  
Two thousand Three hundred Forty six & 50/100 DOLLARS

usbank. All of us serving you®

FOR

*[Signature]*

Security Features include: MicroPrint on Back

JP Morgan Chase Bank, NA  
90-7162/3222

7297

ANN M. BUCK

12/17/2019

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustainabilty Agency \$ \*\*2,346.50

Two Thousand Three Hundred Forty-Six and 50/100\*\*\*\*\* DOLLARS

Cuyama Basin Grndwtr Sustainabilty Agency

MEMO

123.5 Acre Feet @ \$19/Acre Foot

*[Signature]*  
AUTHORIZED SIGNATURE

# CUYAMA BASIN GSA

500 Capitol Mall, Ste 2350  
Sacramento, CA 95814

# Invoice

Date	Invoice #
8/20/2020	GWE2021-53

Bill To
Roy Harrington [REDACTED]

Due Date
9/30/2020

Description	2019 Consumption	Cost Per AF	Amount
Cuyama Basin GSA Fiscal Year 20/21 Groundwater Extraction Fee 2019 Water Use Based on Crop Factors	358.8	44.00	15,787.20
Credit for Overpayment from 2020 Fee (First Fee) Based on CBGSA FY 19/20 Budget		-231.80	-231.80
<p><b>For additional information regarding this invoice or the associated fees, please refer to the Cuyama Basin GSA website for the Fiscal Year 2020/2021 Fee Report.</b></p> <p><b>LATE FEE: Fees are due by September 30, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.</b></p> <p>ck# 2502 (APN: 149-170-050) ck# 7480 (APN: 096-211-032) ck# 1077 (APN: 149-170-047)</p>			
For questions regarding this invoice please contact Taylor Blakslee with The Hallmark Group (661) 477-3385. Please send payments to the Sacramento, CA address above - Thank You		<b>Total</b>	<b>\$15,555.40</b>

TRIPLE H FARMING, LLC

1077

11-35/1210 CA  
72556

DATE 9-7-2020

PAY TO THE ORDER OF Cuyuna Basin GSA

\$ 5185.14

Five thousand one hundred eighty-five & 14/100-

DOLLARS



Photo Safe Deposit  
Details on back

ACH R/T 121000358

FOR 6WE2021-53

*[Handwritten Signature]*

MP

2502

CCSH FARMS LLC

9-5-2020

90-3582/1222

DATE

Cuyama Basin G.S.A

\$ 5185.13

DOLLARS

Five thousand one hundred + eighty five + 13/100

Security Features include Details on Back.

*[Handwritten Signature]*

**usbank** All of **us** serving you®

FOR Annual Fee's Ground water

INV# 60E2021-53

MP

JP Morgan Chase Bank, NA  
90-7162/3222

7480

ANN M. BUCK

8/25/2020

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustainability Agency

\$\*\*5,185.13

Five Thousand One Hundred Eighty-Five and 13/100\*\*\*\*\* DOLLARS

Cuyama Basin Grndwtr Sustainability Agency

*Shirley A. ...*  
*Ronald ...*  
AUTHORIZED SIGNATURE

MEMO

Inv #GWE2021-53

7480

Cuyama Basin Grndwtr Sustainability Agency  
Farming:cultural

8/25/2020

5,185.13

Chase Bank

Inv #GWE2021-53

5,185.13

# CUYAMA BASIN GSA

500 Capitol Mall, Ste 2350  
Sacramento, CA 95814

## Invoice

Date	Invoice #
5/14/2021	GWE2021-77

Bill To
Roy Harrington [REDACTED]

Due Date
6/30/2021

Description	2019 Consumption	Cost Per AF	Amount Due
Cuyama Basin GSA Fiscal Year 2021/2022 Groundwater Extraction Fees: 2019 Water Use Based on Crop Factors	358.8	39.00	13,993.20
<p>The CBGSA attempted to contact you to obtain your 2020 water use but was unsuccessful. Therefore, your 2019 water use was used in the interim for Fiscal Year 2021-2022 fee development and invoicing purposes. If your water use is incorrect, please contact CBGSA Project Manager Taylor Blakslee at 661-477-3385, or tblakslee@hgcpm.com.</p>			
<p><b>For additional information regarding this invoice or the associated fees, please refer to the Cuyama Basin GSA website for the Fiscal Year 2021/2022 Fee Report.</b></p> <p><b>LATE FEE: Fees are due by June 30, 2021. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.</b></p>			
<p>\$4664.40 each</p> <p>#1176 (THF) Aprn 149-170-047</p> <p>#2543 (CSTH) Aprn 149-170-050</p> <p>#7708 (Ann) Aprn 096.211-032</p>			
For questions regarding this invoice please contact Taylor Blakslee with The Hallmark Group (661) 477-3385. Please send payments to the Sacramento, CA address above - Thank You		<b>Total</b>	<b>\$13,993.20</b>

TRIPLE H FARMING, LLC



1176

11-35/1210 CA  
90802

Bank of America  
ACH R/T 121000358

06/14/21

PAY TO THE  
ORDER OF

Cuyama Basin Grndwtr Sustain. Agency

\$ \*\*4,664.40

Four Thousand Six Hundred Sixty-Four and 40/100\*\*\*\*\*

DOLLARS

Cuyama Basin GSA  
500 Capitol Mall Ste 2350  
Sacramento, CA 95814

MEMO

Inv# GWE2021-77 APN 149-170-047



*Tara H. King*  
AUTHORIZED SIGNATURE



Photo Safe Deposit

2543

90-3582/1222

DATE 6-9-21

DATE

Cynthia Basin G.S.A

PAY TO THE ORDER OF

Four thousand six hundred & sixty four & 40/100

\$4664.40

DOLLARS

Security Features included. Details on Back.

usbank

APR

149-170-050

Ray C. Lumb

INV# 6006 2021-77

FOR Annual Fees

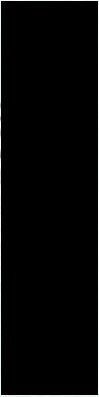
FOR

MP

CCSH FARMS LLC



ANN M. BUCK



JP Morgan Chase Bank, NA

90-7162/3222

7708

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustainability Agency

6/10/2021

\$ \*\*4,664.40

DOLLARS

Four Thousand Six Hundred Sixty-Four and 40/100\*\*\*\*\*

Cuyama Basin Grndwtr Sustainability Agency

*Shirley G. Day*  
*Deed Davis*  
AUTHORIZED SIGNATURE

MEMO

Inv #GWE2021-77 Apr. 2016 - 2-11-03a



7708

Cuyama Basin Grndwtr Sustainability Agency  
Farming:cultural

6/10/2021

4,664.40

Chase Bank

Inv #GWE2021-77

4,664.40

# CUYAMA BASIN GSA

500 Capitol Mall, Ste 2350  
Sacramento, CA 95814

# Invoice

Date	Invoice #
5/16/2022	GWEFY23-12

Bill To
Roy Harrington [REDACTED]

Due Date
6/30/2022

Description	2021 Consumption	Cost Per AF	Amount Due
Cuyama Basin GSA Fiscal Year 2022/2023 Groundwater Extraction Fee: 2021 Water Use Based On Crop Factors	358.8	38.00	13,634.40
<p><b>For additional information regarding this invoice or the associated fees, please refer to the Cuyama Basin GSA website for the Fiscal Year 2022/2023 Fee Report.</b></p> <p><b>LATE FEE: Fees are due by June 30, 2022. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.</b></p> <p><i>\$4,544.50 each</i></p> <p><i>#1234 (THF) Apr 149-170-047</i></p> <p><i>#7963 (Ann) Apr 096-211-032</i></p> <p><i>#2401 (CCSA) Apr 149-170-050</i></p>			
For questions regarding this invoice please contact Taylor Blakslee with The Hallmark Group (661) 477-3385. Please send payments to the Sacramento, CA address above - Thank You	<b>Total</b>		<b>\$13,634.40</b>

**TRIPLE H FARMING, LLC**



1234

11-35/1210 CA  
90802

**Bank of America**  
ACH R/T 121000358

06/17/2022

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustain. Agency

\$ \*\*4,544.80

Four Thousand Five Hundred Forty-Four and 80/100 \*\*\*\*\* DOLLARS

Cuyama Basin GSA  
500 Capitol Mall Ste 2350  
Sacramento, CA 95814

MEMO Inv# GWEFY23-12 APN 149-170-047



*Insa...*  
AUTHORIZED SIGNATURE



Photo Safe Deposit®



SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

ANN M. BUCK  
[Redacted]

JP MORGAN CHASE BANK, NA  
90-71623222

7963

6/9/2022

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustainability Agency

\$\*\*4,544.80

Four Thousand Five Hundred Forty-Four and 80/100\*\*\*\*\*

DOLLARS

Cuyama Basin Grndwtr Sustainability Agency

MEMO Inv #GWEFY23-12 Apr: 096-211-082



*Ann M. Buck*  
Ann M. Buck  
AUTHORIZED SIGNATURE



Security Features Included Details on Back.

ANN M. BUCK c/o LUCOVE, SAY & COMPANY  
Cuyama Basin Grndwtr Sustainability Agency  
Farming: cultural

6/9/2022

7963

4,544.80

Chase Bank Inv #GWEFY23-12

4,544.80

ENDORSE HERE

X

CHECK BOX FOR MOBILE/REMOTE DEPOSIT

WRITE NAME OF FINANCIAL INSTITUTION ON LINE ABOVE

Chemical Wash  
Detection Box

COLOR INSIDE THIS BOX  
SHOULD BE WHITE

**REPLICATING, FORGING OR ALTERING THIS HIGH SECURITY CHECK IS EXTREMELY DIFFICULT DUE TO THESE FEATURES**

**SECURITY FEATURES:**

- Foil Hologram
- True Watermark Paper
- Heat Sensitive Ink
- Multi-Colored Prismatic Background
- Security Border/Microprinting
- Chemically Sensitive Paper
- Chemical Wash Detection Box
- Fugitive Ink on Back
- Toner Adhesion
- Visible/Invisible Fibers
- VOID Indication
- Secure Document
- Security Weave® on Backer
- Dot Patterns on Front

**DO NOT CASH IF:**

- Multi-dimensional foil icon is not present
- Distinctive pattern not visible when held to light
- Pink padlock and chain icon does not fade and reappear when warmed with finger or breath
- Check pattern on front does not include multiple colors that blend into each other
- Small microprint lines appear as broken or solid
- Stains or colored spots appear on front or back
- Stains or discoloration appear in this area
- Ink on back looks pink or has disappeared
- Printed information appears tampered with
- Red/blue fibers are not visible and white, blue fibers are not visible under ultraviolet light
- "VOID" appears in this box
- "VOID" is not visible on front
- ORIGINAL DOCUMENT® is not on back
- An enabled color copier will not reproduce front image

Security features listed and unlabeled exceed industry standards.  
Padlock design is a registered mark of Check Payment Systems Association

MobileMark®: Mobile Deposit check mark to indicate check has been deposited via mobile device.

2601

CCSH FARMS LLC



DATE 6-7-2022

90-3582/1222

PAY TO THE ORDER OF Cayama Basin G.S.A.

Four thousand Five Hundred Forty Four & 80/100 DOLLARS

\$4544.80



Security Features Details on Back

APN: 149-170-050 **usbank** GUNIFFY  
FOR GSA Files 2022 23-12

*[Handwritten Signature]*



MP

ENDORSE HERE


CHECK HERE AFTER MOBILE OR REMOTE DEPOSIT

DATE \_\_\_\_\_

**DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE**  
RESERVED FOR FINANCIAL INSTITUTION USE \*

10/11/11

RS-52

 *The security features listed below, as well as those not listed, exceed industry guidelines.*

<b>Security Features:</b>	<b>Results of document alteration:</b>
MicroPrint Line	• <b>MP</b> Small type in line appears as dotted line when photocopied
Chemically Sensitive Paper	• Stains or spots may appear with chemical alteration
Security Screen	• Absence of "Original Document" verbiage on back of check

(M) Padlock design is a certification mark of the Check Payment Systems Association



## FOOTHILL WELL METER READINGS

DATE	METER READING	UNITS	PRODUCTION IN PERIOD	YTD PRODUCTION				
01/01/2020	1578.82	AF						
02/01/2020	1584.65	AF	5.83	5.83				
03/01/2020	1588.14	AF	3.49	9.32				
04/01/2020	No read, meter broken							
05/01/2020	54.01	AF	54.01	63.33				
06/01/2020	148.51	AF	94.5	157.83				
07/01/2020	238.43	AF	89.92	247.75				
08/01/2020	323.32	AF	84.89	332.64				
09/01/2020	414.16	AF	90.84	423.48				
10/01/2020	497.67	AF	83.51	506.99				
11/01/2020	506.40	AF	8.73	515.72				
12/01/2020	506.41	AF	0	515.72				
12/31/2020	506.41	AF	0	<b>515.72</b>				
01/01/2021	506.42	AF	0	0				
02/01/2021	506.42	AF	0	0				
03/01/2021	506.42	AF	0	0				
04/01/2021	552.08	AF	45.66	45.66				
05/01/2021	4.44	AF	4.44? (New Meter Serial # 04201441)	50.10				
06/01/2021	87.78	AF	83.34	133.44				
07/01/2021	156.15	AF	68.37	201.81				
08/01/2021	237.89	AF	81.74	283.55				
09/01/2021	320.04	AF	82.15	365.70				
10/01/2021	380.78	AF	60.74	426.44				
11/01/2021	395.84	AF	15.06	441.50				
12/01/2021	395.84	AF	0	441.50				
12/31/2021	395.84	AF	0	<b>441.5</b>				
1/1/22	395.84	AF	0	0				
2/1/22	395.84	AF	0	0				
3/1/22	395.84	AF	0	0				
4/1/22	413.57	AF	17.73	17.73				
5/1/22	419.42	AF	5.85	23.58				
6/1/22	495.27	AF	75.85	99.37				
7/1/22	552.07	AF	56.80	156.17				
8/1/22	640.00	AF	87.93	244.10				
9/1/22								

**Exhibit 3**



**Environmental Health Services**

225 Camino Del Remedio, Santa Barbara, CA. 93110 ♦ (805) 681-4900  
2125 S. Centerpointe Pkwy., #333, Santa Maria, CA 93455-1340 ♦ (805) 346-8460

**Amended APN**

October 5, 2015

Mr. Roy Harrington  


Subject: **Completion Report for Water Well Permit #WP0000287**  
2385 Foothill Rd Maricopa CA 93252 "APN 149-170-047"

This Department has reviewed the construction of the subject water well as related to the location of the well and the placement of the annular seal in the upper portion of the bore around the well casing. This work has been completed in conformity with the requirements of the Water Well Standards of the State Department of Water Resources, as adopted by the Santa Barbara County.

If water from this well is intended to be utilized for domestic or drinking purposes it will first be necessary to obtain a Water System Permit from this Department. The permit is required for any water system that will provide water to a dwelling unit or to any structure utilized for commercial or manufacturing purposes, which requires potable water for human consumption or use.

Please contact the undersigned if you have any questions or if you need a Water System Permit Application. I can be reached at 805 346-8461.

Sincerely,

  
Paul Jenzen  
Environmental Health Specialist

cc: Assessor's Office



# Flow Meter Installation Report

Cuyama Basin Groundwater Sustainability Agency

Thank you for filling out the Well Flow Meter Installation Report for the Cuyama GSA.

This form should be completed for **EACH** flow meter installed in the Cuyama Basin on all non-de minimis production (>2AFY) wells. Complete and accurate responses are critical for an equitable and data driven approach to groundwater management in the Cuyama Basin.

Any questions or concerns should be directed to [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com).

Thank you for your cooperation and participation.

## *Landowner Information*

1) Landowner name (First and Last): \_\_\_\_\_

2) Well operating company or organization: \_\_\_\_\_

## *Meter/Well Location*

3) Well Name/number (please provide all known names/IDs separated by a semicolon (“;”):  
\_\_\_\_\_

4) Geographical coordinates (decimal degree):

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

## *Meter Information*

5) Flow meter make/ manufacturer: \_\_\_\_\_

6) Meter serial number: \_\_\_\_\_

## *Installation Information*

7) Installer name/company: \_\_\_\_\_

8) Installation date: \_\_\_\_\_

## *Attachments*

Please attach the following to an email and send to Taylor Blakslee at [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com). Please utilize the flow meter’s serial number in the name of the file attachments so that attachments are filed accurately and to minimize staff time.

- Manufacturer calibration certificate/documentation
  - attachment name “Serial-number\_CalibrationDoc.pdf” (ex. “12345abc6789\_CalibrationDoc.pdf”)
- Pictures of well and meter
  - attachment name “Serial-number\_Well/Meter\_Photo\_#of#.jpeg” (ex. “12345abc6789\_Well\_Photo\_2of4.jpeg”)



# Flow Meter Installation Report

Cuyama Basin Groundwater Sustainability Agency

Thank you for filling out the Well Flow Meter Installation Report for the Cuyama GSA.

This form should be completed for **EACH** flow meter installed in the Cuyama Basin on all non-de minimis production (>2AFY) wells. Complete and accurate responses are critical for an equitable and data driven approach to groundwater management in the Cuyama Basin.

Any questions or concerns should be directed to [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com).

Thank you for your cooperation and participation.

## *Landowner Information*

1) Landowner name (First and Last): \_\_\_\_\_

2) Well operating company or organization: \_\_\_\_\_

## *Meter/Well Location*

3) Well Name/number (please provide all known names/IDs separated by a semicolon (“;”):  
\_\_\_\_\_

4) Geographical coordinates (decimal degree):

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

## *Meter Information*

5) Flow meter make/ manufacturer: \_\_\_\_\_

6) Meter serial number: \_\_\_\_\_

## *Installation Information*

7) Installer name/company: \_\_\_\_\_

8) Installation date: \_\_\_\_\_

## *Attachments*

Please attach the following to an email and send to Taylor Blakslee at [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com). Please utilize the flow meter’s serial number in the name of the file attachments so that attachments are filed accurately and to minimize staff time.

- Manufacturer calibration certificate/documentation
  - attachment name “Serial-number\_CalibrationDoc.pdf” (ex. “12345abc6789\_CalibrationDoc.pdf”)
- Pictures of well and meter
  - attachment name “Serial-number\_Well/Meter\_Photo\_#of#.jpeg” (ex. “12345abc6789\_Well\_Photo\_2of4.jpeg”)

Check Copy

Invoice Number	Invoice Date	Description	Amount
8/31/2022 - CLC	08/31/2022	Payment of variance request filing fee for Roy Harrington (Harrington 1)	250.00
		<b>Check Total</b>	<b>\$ 250.00</b>

THE FACE OF THIS CHECK IS PRINTED BLUE-THE BACK CONTAINS A SIMULATED WATERMARK

**Brownstein Hyatt  
Farber Schreck**

**Brownstein Hyatt Farber Schreck,  
LLP**  
410 Seventeenth Street, Suite 2200

KeyBank National Association  
Denver, CO 80202  
82-7026/3070

**313863**

KeyBank - Operating

September 01, 2022

PAY Two Hundred Fifty and 00/100 Dollar(s)

\$ \*\*\*\*\*250.00

NOT NEGOTIABLE AFTER SIX MONTHS

TO THE  
ORDER  
OF

Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, 2nd Floor  
Bakersfield, CA 93309

AUTHORIZED SIGNATURE





September 1, 2022

Stephanie O. Hastings  
Attorney at Law  
805.882.1415 direct  
shastings@bhfs.com

**VIA EMAIL TO: TBLAKSLEE@HGCPM.COM**

Taylor Blakslee  
Assistant Executive Director  
Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, Suite 210  
Bakersfield CA 93309

RE: Variance Request – David G. Lewis  
(APN 149-170-006)

Dear Mr. Blakslee:

This letter is submitted on behalf of David G. Lewis (Lewis) with regard to the parcel located in Santa Barbara County (APN 149-170-006) (the “Parcel”) in response to the Cuyama Basin Groundwater Sustainability Agency’s (GSA) “Notice of Central Management Area Policies and Landowner Requirements” dated July 30, 2022 (the “Notice”). This letter provides general comments and objections on the Notice that purports to describe “Central Management Area Policies and Landowner Requirements” (CMA Allocation Policy) and serves as a Variance Request to correct information related to the Parcel.

## **I. General Comments and Objections to CMA Allocation Policy**

As described herein, Lewis has significant concerns with the GSA’s Notice and the CMA Allocation Policy—most importantly, that the GSA’s CMA Allocation Policy has the potential to impair common law water rights without due process of law—and therefore submits these comments for the GSA Board of Director’s (Board) consideration. Further, in light of recent comments made by GSA staff at the August 25, 2022 GSA Public Workshop acknowledging that the GSA plans to consider expanding the CMA Allocation Policy or to impose other pumping limitations on areas outside of the CMA, the Board should address these comments before undertaking any further implementation or expansion of the CMA Allocation Policy.

*The CMA Allocation Policy Conflicts with California Water Law*

The GSA does not have the power to determine or alter groundwater rights. The Sustainable Groundwater Management Act (SGMA) does not supplant the common law; rather it only supplements it. Yet the Notice purports to limit the pumping of a subset of the Basin's users without regard to any user's common law water rights. For example:

The CMA Allocation Policy, at least as it is presently described in the Notice, is geographically discriminatory—it constrains the pumping of only a subset of overlying landowners within the CMA, despite that all groundwater users within the Basin share the common source. As such, the CMA Allocation Policy does not comply with overlying groundwater rights law in that it limits the ability of some, but not all, landowners to exercise their correlative overlying right to groundwater from the Basin. This approach is inconsistent with the physically interconnected nature of the Basin and with common law water rights.

Moreover, in implementing SGMA, even area-specific responsive management actions must be specifically associated with avoiding undesirable results identified in the Cuyama Basin Groundwater Sustainability Plan. If pumping by a discrete area or growers must be physically restricted, that burden must be shared basin-wide by implementation of a physical solution that distributes that burden legally among all pumpers consistent with their water rights.

*The CMA Allocation Policy Should be Reconciled with the Ongoing Cuyama Basin Comprehensive Groundwater Adjudication*

The CMA Allocation Policy effectively seeks to quantify a subset of groundwater users' water rights outside of the ongoing *Bolthouse Land Company, LLC, et al. v. All Persons Claiming a Right to Extract Groundwater in the Cuyama Valley Groundwater Basin (No. 3-013)* (the "Adjudication"). The Adjudication seeks to quantify all groundwater rights within the Basin consistent with California water law. The Notice, which describes a program to limit pumping by imposing arbitrary cutbacks on a subset of users, conflicts with that action. Accordingly, the GSA should revise the CMA Allocation Policy to conform with the ongoing process to adjudicate groundwater rights throughout the Basin.

*The CMA Allocation Policy is Arbitrary and Unclear*

Numerous components of the CMA Allocation lack evidentiary support and therefore are arbitrary and unclear. For example:

The modeled and operational CMA boundary is arbitrary given that users within the CMA pump groundwater from the same aquifer as users outside of the CMA who are nevertheless exempt from the program. At the recent Cuyama GSA Public Workshop on August 25, 2022, staff acknowledged that the CMA boundary was selected for political reasons and had no scientific basis. Further, the CMA

Taylor Blakslee  
September 1, 2022  
Page 3

boundary was selected using Cuyama Basin Water Resources Model (CBWRM) results that have a margin of error based on model limitations and geographic projections that significantly impact CMA Allocation Policy implementation but remain unexplained.

The CMA Allocation Policy relies on land use data from the CBWRM to estimate groundwater use in a manner that is unclear and cannot be reproduced and verified by landowners. The Notice is not clear about the basis of the selected water use period and whether it accurately reflects historical and/or planned use for pumping, nor how this water use period correlates to the 2021 pumping reduction baseline.

The CBWRM data further does not consider land use and irrigation efficiency practices in setting the individual allocations. Accordingly, the CMA Allocation Policy penalizes landowners who voluntarily employed significant conservation measures to limit their water use or fallowed lands. Landowners that may have temporarily modified their groundwater production to convert to more water efficient uses may also be penalized. None of this information is evident from the CMA Allocation Policy.

*The CMA Allocation Policy Should Have Been Adopted Through A Formal Action And Was Not*

Although Lewis appreciates that the GSA Board has conducted numerous meetings and engaged in numerous discussions regarding a proposed pumping reduction program and proposed allocation of Basin water supply for a subset of the Basin's landowners, Lewis is not aware of any formal GSA policy, rule or regulation regarding such program and allocation. Rather, it appears that the Notice and CMA Allocation Policy is the result of a series of Board directions provided over many months to GSA staff by minute order.

Because the CMA Allocation Policy is clearly intended as a regulation, a formal document is needed to explain and elucidate the program and its requirements. Although titled "Central Management Area Policies and Landowner Requirements," the Notice and estimated allocation assigned to certain Basin landowners has the effect of a regulation that limits groundwater pumping by a subset of the Basin's landowners without due process and in conflict each landowner's exercise of its overlying property right in the Basin. The Notice also proposes to impose monetary and other penalties on those listed landowners who use groundwater in excess of the assigned estimated allocation. As such, the CMA Allocation Policy must be adopted through a formal ordinance that imposes specific regulations (allocations) and penalties for failure to comply with such regulations on landowners within the CMA to ensure that affected landowners receive due process.

An ordinance also is necessary to clearly document and allow for public comment on the mechanics of the policy's requirements to allow for meaningful public participation and informed decision-making. Notably, the meeting minutes for the July 6, 2022 Board meeting are currently not published. Further, the GSA's Standing Advisory Committee plans to consider and provide direction to the Board

Taylor Blakslee  
September 1, 2022  
Page 4

regarding certain aspects of CMA Allocation Policy at the September 1, 2022 meeting after the deadline to submit a Variance Request. As such, members of the public have no way to confirm that the Notice circulated to landowners on July 29, 2022, as well as the pumping reduction program it describes, and the resulting estimated allocations, conforms with the Board's direction by minute order.

#### *The Variance Request Process Is Flawed*

First, the Notice does not set forth clear criteria or findings that the Board will use to determine whether to grant a variance, which may lead to arbitrary and capricious decision-making.

Second, the Notice does not provide the data upon which the proposed allocations are based in a transparent manner that would allow for landowners to ascertain data errors as needed to submit a Variance Request Form. The data tables attached to the Notice fail to provide landowners with any information as to the modeled calculation of an individual allocation such that a landowner can understand the potential source of data errors.

Third, the Notice does not make it clear to landowners that do not intend to submit a Variance Request Form that their individual allocation may change in response to the Board's action to grant a variance requested by another landowner. All landowners should be fully informed of the need and right to participate in the variance process in order to preserve their rights and avoid penalties.

Lastly, the California Constitution and SGMA contain specific substantive and procedural requirements on the adoption of fees and charges. The Cuyama GSA has not complied with any of these requirements in its adoption of a \$250 fee to submit a Variance Request Form.

#### *The Board Has Not Yet Complied with the California Environmental Quality Act*

The GSA's actions are subject to the California Environmental Quality Act (CEQA). At such time as the Board does take any formal action with respect to CMA Allocation Policy, the Board must consider whether the CMA Allocation Policy will have a direct or reasonably foreseeable indirect impact on the environment due to the potential for landowners to need to fallow land in order to comply with the program. The fallowing of land in response to the proposed allocation has reasonably foreseeable direct and indirect impacts on the environment including, but not limited to, impacts on air quality, land use and biological resources.

## **II. Request for Variance**

Subject to and without waiving the comments and objections set forth in this letter, on behalf of Lewis with respect to the Parcel, we submit: (1) a Variance Request Form ([Attachment 1](#)); (2) Variance Request Supporting Information ([Attachment 2](#)); and (3) a \$250 check for the Variance Request Fee,

Taylor Blakslee  
September 1, 2022  
Page 5

which is paid under protest for the reasons set forth above. This request seeks that the GSA re-evaluate the CMA boundary to confirm the operational boundary based on model uncertainty and that Lewis receive an allocation consistent with similarly situated neighboring property owners.

Please be advised that Brownstein is in the process of developing additional information to support the ongoing Comprehensive Groundwater Adjudication for the Cuyama Basin and reserves the right to supplement this Variance Request and the supporting information as new information becomes available.

#### *Central Management Area Boundary*

At the July 6, 2022 GSA Board meeting, the Board provided direction to staff to use Option 3 with minor modifications to develop the Central Management Area boundary.<sup>1</sup> Under Option 3 as presented on July 6, 2022, the Lewis Parcel was located outside of the Central Management Area boundary. (See Attachment 2, p. 1.) However, the GSA's "Updated Operational Management Area Boundary" contained in the Notice suddenly included the Lewis Parcel within the CMA for the first time. (See Attachment 2, p. 2.)

Lewis inquired with GSA staff regarding the sudden inclusion of his Parcel within the CMA to learn that staff added his Parcel based on a revised projection, which shifted his Parcel boundary east by 290 feet leading his Parcel to be within the CMA boundary by just over 0.46 percent or 0.776 acres. (See Attachment 2, pp. 3-7.) Until receipt of the Notice, Lewis had no reason to believe his Parcel would be located within the CMA.

Given the uncertainty surrounding (1) the actual parcel boundaries; (2) the projection used by GSA staff to determine the parcels within the CMA; and (3) CBWRM's estimation of the -2 foot contour based on model simulation results, Lewis requests that the GSA re-evaluate the CMA boundary to confirm its accuracy and incorporate a margin of error into the Notice and any CMA Allocation Policy formally adopted by the Board. This evaluation is critical to ensure that the GSA implements a transparent allocation that fairly incorporates parcels into the CMA consistent with the Board's direction.

#### *Request to Increase Allocation*

Should the GSA still conclude that the Lewis Parcel is appropriately within the CMA boundary, subject to and without waiving the comments and objections set forth in the Comment Letter, Lewis requests that he receive an allocation consistent with similarly situated neighboring property owners.

---

<sup>1</sup> The minor modifications were to include parcels with more than 1,000 acres in the Central Management Area operational boundary. This modification is not relevant to this request.

Taylor Blakslee  
September 1, 2022  
Page 6

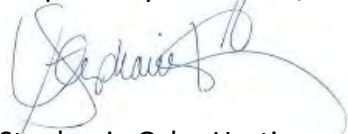
The 85.08 acre Lewis Parcel contains a residence and an agricultural building, sustains four sheep and 12 chickens and is planted with an approximately 38 acre pistachio orchard and two acres of lavender. Although Lewis does not have any accurate pumping records during the CBWRM model period described in the Notice, he notes that neighboring parcels planted with approximately 40 acres of pistachio orchard received significantly higher allocations.

Based on the GSA's Water Use forms, a parcel with 38 acres of pistachios is expected to have a water demand of 113.62 acre-feet (AF) and two acres of lavender having an approximate water demand of four AF for a total of 117.63 acre-feet.<sup>2</sup> Moreover, Lewis pistachio orchard is maturing, his water demands continue to increase, such that he will require approximately 120 AF in allocation for 2023 and a corresponding allocation in 2024, consistent with the amount allocated to other neighboring pistachio farms of similar size.

In summary, Lewis requests an increase in his pumping allocation from 78.54 AF in 2023 to 120 AF in 2023 and a corresponding allocation in 2024. This adjustment is consistent with the amount of water allocated to other parcels with similarly sized pistachio orchards. Notably, this increase would result in the Lewis Parcel, which constitutes 0.39 percent of the CMA land area, pumping about 0.3 percent of annual average pumping amount within the CMA.

Thank you for your consideration of these comments and this request. Should you have questions, please contact me at (805) 882-1415 or [Shastings@bhfs.com](mailto:Shastings@bhfs.com) or Mack Carlson at (805) 882-1485 or [Mcarlson@bhfs.com](mailto:Mcarlson@bhfs.com).

Respectfully submitted,



Stephanie Osler Hastings  
Mack Carlson

Enclosure: Attachment 1. Variance Request Form  
Attachment 2. Variance Supporting Information

Cc: David G. Lewis (via email)  
Joe D. Hughes, Klein DeNatale Goldner (via email)

---

<sup>2</sup> This estimate includes water use by the chickens and sheep on the Parcel equal to approximately 0.02 AF per year.

**Attachment 1**



# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

---

*Submit this form, including a \$250 fee (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.*

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Assessor Parcel Number(s) (APN): \_\_\_\_\_

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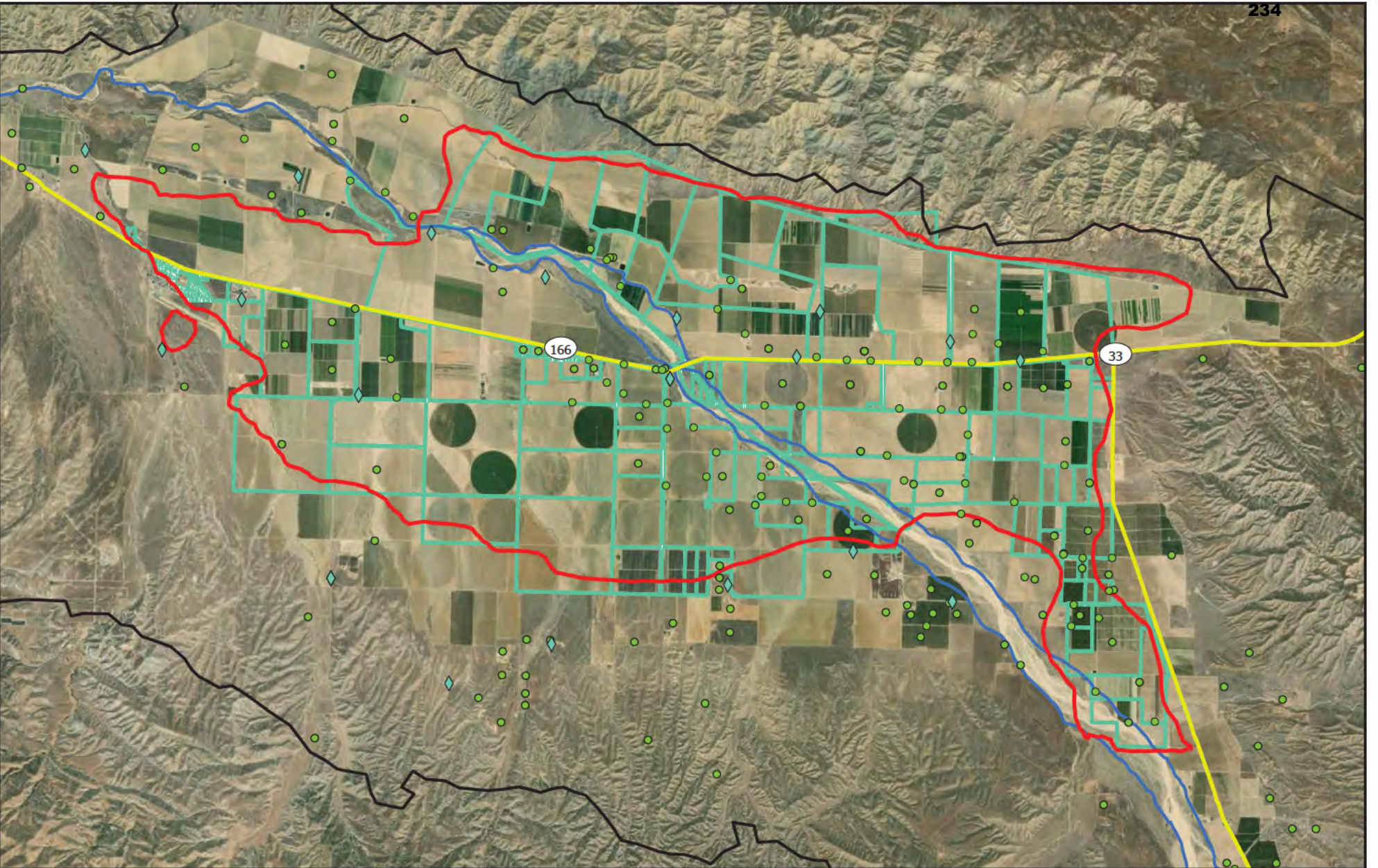
---

**Please describe the basis for your request and attach any supporting documentation**



Attachment 2

Figure Exported: 6/28/2022, By: agp@lelebon, Using: \\woodardcurran.net\share\Projects\RMC\SAC\011078-00 - Cuyama Basin CSPAZ - GIS\2 - Maps\Management Areas\OperationalMgmtArea - June 2022.aprx



**DRAFT Updated  
Operational Management  
Area Boundary**

Cuyama Valley  
Groundwater Basin

**Legend**

- Cuyama Basin
- Representative Wells
- Reported Wells
- CBWRM -2ft contour (2022)
- Option 3: Parcels with >50% within -2ft contour

N

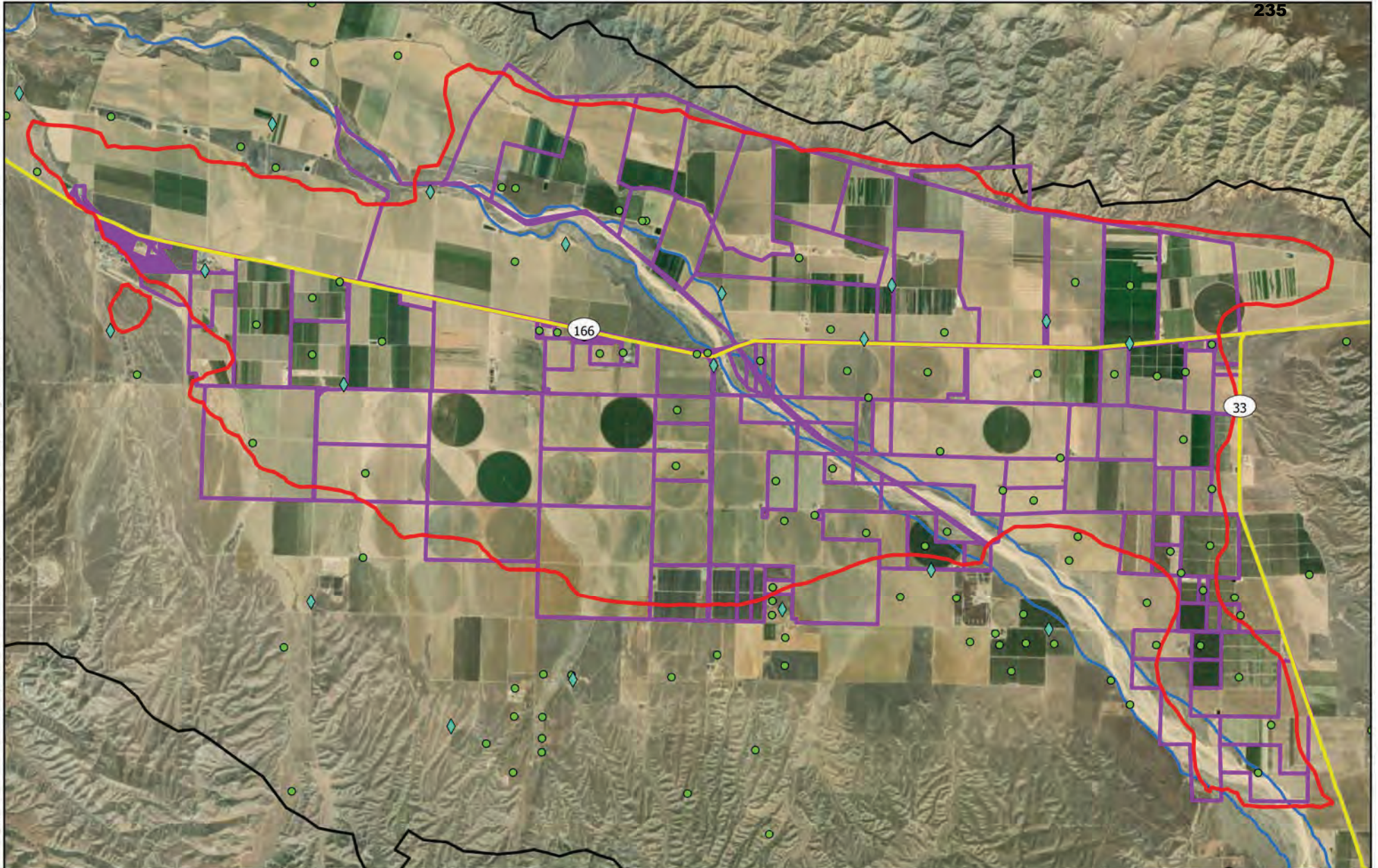
Woodard & Curran

CUYAMA BASIN  
GROUNDWATER SUSTAINABILITY AGENCY

0 0.38 0.75 1.5 Miles

Map Created: June 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk.

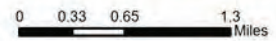


**Updated Operational Management Area Boundary**

Cuyama Valley Groundwater Basin

*Legend*

- Cuyama Basin
- ◆ Representative Wells
- Reported Wells
- CBWRM -2ft contour (2022)
- Parcels with ≥50% or ≥1000 acres within -2ft contour



Map Created: July 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk.

Figure Exported: 7/19/2022, by: nrmayer, 11:00 AM, W:\woodard-curran\msh\shared\Projects\2022\20220719\00 - Cuyama Basin CSP\2 - GIS\2 - Map\Management Area\OperationalMgmtArea\_July2022.aprx

----- Forwarded message -----

From: David Lewis <[REDACTED]>  
Date: Wed, 10 Aug 2022 at 10:05  
Subject: Re: FW: CMA Operational Boundary Issue  
To: Young, Matthew <[mcyoung@countyofsb.org](mailto:mcyoung@countyofsb.org)>

Thanks again for your help.

On Wed, 10 Aug 2022 at 09:07, Young, Matthew <[mcyoung@countyofsb.org](mailto:mcyoung@countyofsb.org)> wrote:

Hello David,

Here is the analysis from the GSA.

Thanks,

Matt



**Matt Young**  
Santa Barbara County Water Agency Manager  
130 E. Victoria St., Suite 200  
Santa Barbara, CA 93101  
(805) 568-3546  
[Water Agency Website: WaterWiseSB.org](http://WaterAgencyWebsite.com)

---

From: Taylor Blakslee <[TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com)>  
Sent: Tuesday, August 9, 2022 10:49 AM

To: Young, Matthew <[mcyoung@countyofsb.org](mailto:mcyoung@countyofsb.org)>

Subject: FW: CMA Operational Boundary Issue

**Caution:** This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Matt,

Please see the below analysis of David Lewis' parcel in the CMA operational boundary based on updated parcel data.

Thank you,

Taylor Blakslee | Project Manager | (661) 477-3385

---

**From:** Micah Eggleton <[ceggleton@woodardcurran.com](mailto:ceggleton@woodardcurran.com)>

**Sent:** Tuesday, August 9, 2022 8:52 AM

**To:** Taylor Blakslee <[TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com)>

**Subject:** RE: CMA Operational Boundary Issue

Taylor,

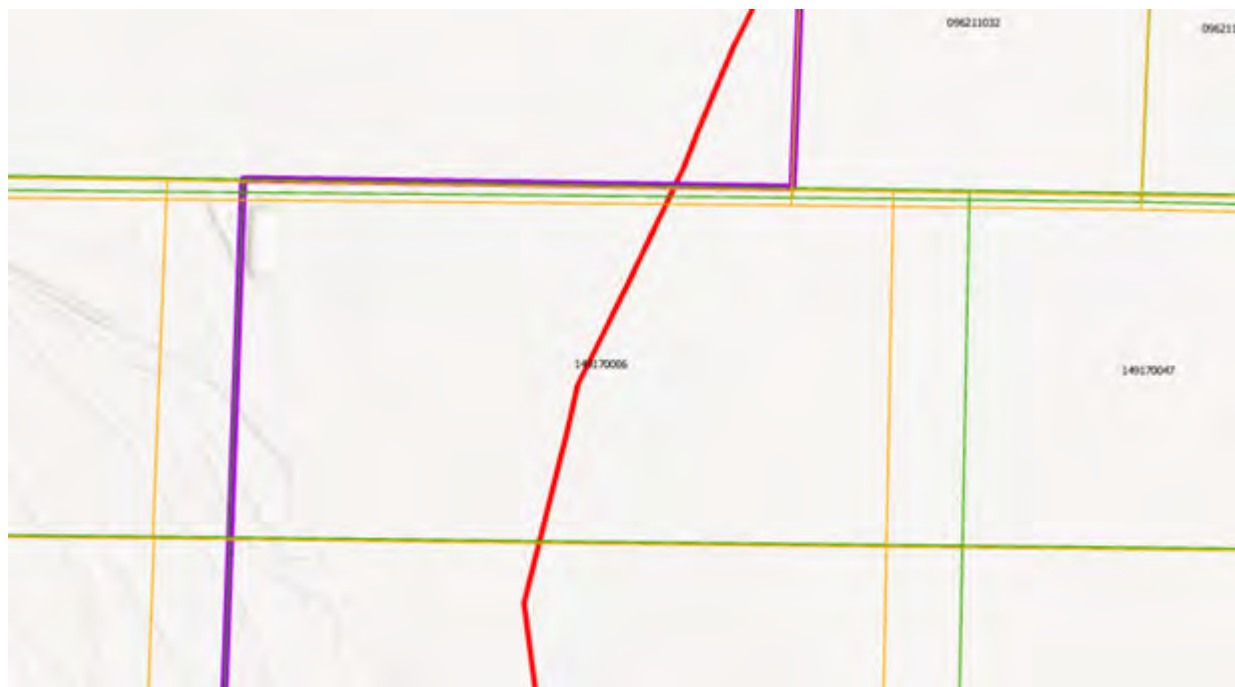
I have looked into the parcel and have determined that the updated and more accurate projection has shifted the parcel towards the east by approximately 290 ft.

The old parcel layer is shown in orange, new and corrected are green.

Based on the data, the parcel just squeaks in over 50% with the updated parcel.

APN 149-170-006	Old Parcel Projection	New Parcel Projection
Total Acreage	85.139	85.082
Area In CMA (acres)	34.224	42.929

<b>Area Out CMA (acres)</b>	50.915	42.153
<b>% In</b>	40.20%	50.46%
<b>% Out</b>	59.80%	49.54%



**From:** Taylor Blakslee <[TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com)>  
**Sent:** Monday, August 8, 2022 5:30 PM  
**To:** Micah Eggleton <[ceggleton@woodardcurran.com](mailto:ceggleton@woodardcurran.com)>  
**Subject:** CMA Operational Boundary Issue

Micah,

Can you let me know what percent the below parcel is in the CMA op boundary? Also, can you confirm the issue was a projection issue between the Board packet version and the final CMA operational boundary in GIS?

**APN (David Lewis):**

149-170-006

Thanks,

Taylor Blakslee

Project Manager

(661) 477-3385



[To send me a file click here.](#)

Corporate (916) 923-1500

[www.hqcpm.com](http://www.hqcpm.com)

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Check Copy



Invoice Number	Invoice Date	Description	Amount
8/31/2022	08/31/2022	Payment of variance request filing fee for David & Karen Lewis	250.00
		<b>Check Total</b>	<b>\$ 250.00</b>

THE FACE OF THIS CHECK IS PRINTED BLUE-THE BACK CONTAINS A SIMULATED WATERMARK

**Brownstein Hyatt  
Farber Schreck**

**Brownstein Hyatt Farber Schreck,  
ELP**  
410 Seventeenth Street, Suite 2200

KeyBank National Association  
Denver, CO 80202  
82-7026/3070

**313861**

KeyBank - Operating

September 01, 2022

PAY Two Hundred Fifty and 00/100 Dollar(s)

\$ \*\*\*\*\*250.00

NOT NEGOTIABLE AFTER SIX MONTHS

TO THE  
ORDER  
OF

Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, 2nd Floor  
Bakersfield, CA 93309

AUTHORIZED SIGNATURE



September 1, 2022

Stephanie O. Hastings  
Attorney at Law  
805.882.1415 direct  
shastings@bhfs.com

**VIA EMAIL TO:TBLAKSLEE@HGCPM.COM**

Taylor Blakslee  
Assistant Executive Director  
Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, Suite 210  
Bakersfield CA 93309

RE: Variance Request – Slumskie Family Trust, dated April 9, 1996  
(APN 149-170-050)

Dear Mr. Blakslee:

This letter is submitted on behalf of Slumskie Family Trust, dated April 9, 1996 (Slumskie) with regard to the parcel located in Santa Barbara County (APN 149-170-050) (the “Parcel”) in response to the Cuyama Basin Groundwater Sustainability Agency’s (GSA) “Notice of Central Management Area Policies and Landowner Requirements” dated July 30, 2022 (the “Notice”). This letter provides general comments and objections on the Notice that purports to describe “Central Management Area Policies and Landowner Requirements” (CMA Allocation Policy) and serves as a Variance Request to correct information related to the Parcel.

## **I. General Comments and Objections to CMA Allocation Policy**

As described herein, Slumskie has significant concerns with the GSA’s Notice and the CMA Allocation Policy—most importantly, that the GSA’s CMA Allocation Policy has the potential to impair common law water rights without due process of law—and therefore submits these comments for the GSA Board of Director’s (Board) consideration. Further, in light of recent comments made by GSA staff at the August 25, 2022 GSA Public Workshop acknowledging that the GSA plans to consider expanding the CMA Allocation Policy or to impose other pumping limitations on areas outside of the CMA, the Board should address these comments before undertaking any further implementation or expansion of the CMA Allocation Policy.

*The CMA Allocation Policy Conflicts with California Water Law*

The GSA does not have the power to determine or alter groundwater rights. The Sustainable Groundwater Management Act (SGMA) does not supplant the common law; rather it only supplements it. Yet the Notice purports to limit the pumping of a subset of the Basin's users without regard to any user's common law water rights. For example:

The CMA Allocation Policy, at least as it is presently described in the Notice, is geographically discriminatory—it constrains the pumping of only a subset of overlying landowners within the CMA, despite that all groundwater users within the Basin share the common source. As such, the CMA Allocation Policy does not comply with overlying groundwater rights law in that it limits the ability of some, but not all, landowners to exercise their correlative overlying right to groundwater from the Basin. This approach is inconsistent with the physically interconnected nature of the Basin and with common law water rights.

Moreover, in implementing SGMA, even area-specific responsive management actions must be specifically associated with avoiding undesirable results identified in the Cuyama Basin Groundwater Sustainability Plan. If pumping by a discrete area or growers must be physically restricted, that burden must be shared basin-wide by implementation of a physical solution that distributes that burden legally among all pumpers consistent with their water rights.

*The CMA Allocation Policy Should be Reconciled with the Ongoing Cuyama Basin Comprehensive Groundwater Adjudication*

The CMA Allocation Policy effectively seeks to quantify a subset of groundwater users' water rights outside of the ongoing *Bolthouse Land Company, LLC, et al. v. All Persons Claiming a Right to Extract Groundwater in the Cuyama Valley Groundwater Basin (No. 3-013)* (the "Adjudication"). The Adjudication seeks to quantify all groundwater rights within the Basin consistent with California water law. The Notice, which describes a program to limit pumping by imposing arbitrary cutbacks on a subset of users, conflicts with that action. Accordingly, the GSA should revise the CMA Allocation Policy to conform with the ongoing process to adjudicate groundwater rights throughout the Basin.

*The CMA Allocation Policy is Arbitrary and Unclear*

Numerous components of the CMA Allocation lack evidentiary support and therefore are arbitrary and unclear. For example:

The modeled and operational CMA boundary is arbitrary given that users within the CMA pump groundwater from the same aquifer as users outside of the CMA who are nevertheless exempt from the program. At the recent Cuyama GSA Public Workshop on August 25, 2022, staff acknowledged that the CMA boundary was selected for political reasons and had no scientific basis. Further, the CMA

Taylor Blakslee  
September 1, 2022  
Page 3

boundary was selected using Cuyama Basin Water Resources Model (CBWRM) results that have a margin of error based on model limitations and geographic projections that significantly impact CMA Allocation Policy implementation but remain unexplained.

The CMA Allocation Policy relies on land use data from the CBWRM to estimate groundwater use in a manner that is unclear and cannot be reproduced and verified by landowners. The Notice is not clear about the basis of the selected water use period and whether it accurately reflects historical and/or planned use for pumping, nor how this water use period correlates to the 2021 pumping reduction baseline.

The CBWRM data further does not consider land use and irrigation efficiency practices in setting the individual allocations. Accordingly, the CMA Allocation Policy penalizes landowners who voluntarily employed significant conservation measures to limit their water use or fallowed lands. Landowners that may have temporarily modified their groundwater production to convert to more water efficient uses may also be penalized. None of this information is evident from the CMA Allocation Policy.

*The CMA Allocation Policy Should Have Been Adopted Through A Formal Action And Was Not*

Although Slumskie appreciates that the GSA Board has conducted numerous meetings and engaged in numerous discussions regarding a proposed pumping reduction program and proposed allocation of Basin water supply for a subset of the Basin's landowners, Slumskie is not aware of any formal GSA policy, rule or regulation regarding such program and allocation. Rather, it appears that the Notice and CMA Allocation Policy is the result of a series of Board directions provided over many months to GSA staff by minute order.

Because the CMA Allocation Policy is clearly intended as a regulation, a formal document is needed to explain and elucidate the program and its requirements. Although titled "Central Management Area Policies and Landowner Requirements," the Notice and estimated allocation assigned to certain Basin landowners has the effect of a regulation that limits groundwater pumping by a subset of the Basin's landowners without due process and in conflict each landowner's exercise of its overlying property right in the Basin. The Notice also proposes to impose monetary and other penalties on those listed landowners who use groundwater in excess of the assigned estimated allocation. As such, the CMA Allocation Policy must be adopted through a formal ordinance that imposes specific regulations (allocations) and penalties for failure to comply with such regulations on landowners within the CMA to ensure that affected landowners receive due process.

An ordinance also is necessary to clearly document and allow for public comment on the mechanics of the policy's requirements to allow for meaningful public participation and informed decision-making. Notably, the meeting minutes for the July 6, 2022 Board meeting are currently not published. Further, the GSA's Standing Advisory Committee plans to consider and provide direction to the Board

Taylor Blakslee  
September 1, 2022  
Page 4

regarding certain aspects of CMA Allocation Policy at the September 1, 2022 meeting after the deadline to submit a Variance Request. As such, members of the public have no way to confirm that the Notice circulated to landowners on July 29, 2022, as well as the pumping reduction program it describes, and the resulting estimated allocations, conforms with the Board's direction by minute order.

#### *The Variance Request Process Is Flawed*

First, the Notice does not set forth clear criteria or findings that the Board will use to determine whether to grant a variance, which may lead to arbitrary and capricious decision-making.

Second, the Notice does not provide the data upon which the proposed allocations are based in a transparent manner that would allow for landowners to ascertain data errors as needed to submit a Variance Request Form. The data tables attached to the Notice fail to provide landowners with any information as to the modeled calculation of an individual allocation such that a landowner can understand the potential source of data errors.

Third, the Notice does not make it clear to landowners that do not intend to submit a Variance Request Form that their individual allocation may change in response to the Board's action to grant a variance requested by another landowner. All landowners should be fully informed of the need and right to participate in the variance process in order to preserve their rights and avoid penalties.

Lastly, the California Constitution and SGMA contain specific substantive and procedural requirements on the adoption of fees and charges. The Cuyama GSA has not complied with any of these requirements in its adoption of a \$250 fee to submit a Variance Request Form.

#### *The Board Has Not Yet Complied with the California Environmental Quality Act*

The GSA's actions are subject to the California Environmental Quality Act (CEQA). At such time as the Board does take any formal action with respect to CMA Allocation Policy, the Board must consider whether the CMA Allocation Policy will have a direct or reasonably foreseeable indirect impact on the environment due to the potential for landowners to need to fallow land in order to comply with the program. The fallowing of land in response to the proposed allocation has reasonably foreseeable direct and indirect impacts on the environment including, but not limited to, impacts on air quality, land use and biological resources.

## **II. Request for Variance**

Subject to and without waiving the comments and objections set forth in this letter, we submit: (1) a Variance Request Form (Attachment 1); (2) Variance Request Supporting Information (Attachment 2); and (3) a \$250 check for the Variance Request Fee, which is paid under protest for the reasons set

Taylor Blakslee  
September 1, 2022  
Page 5

forth in the comments above. This request fundamentally seeks that the Slumskie receives an allocation consistent with similarly situated neighboring property owners.

Please be advised that Brownstein also is in the process of developing additional information to support the ongoing Comprehensive Groundwater Adjudication for the Cuyama Basin and reserves the right to supplement this Variance Request and the supporting information as new information becomes available. prior to GSA Board of Director's action on the Variance Request.

The 42.13 acre Slumskie Parcel has been planted with approximately 40 acres of pistachio orchard. The Slumskie's pistachio orchard is of a similar age and size to the other neighboring pistachio orchards. In fact, three neighboring parcels all contain pistachio orchards of similar size that rely on the same water source, shared water infrastructure, and are similarly irrigated.

For example, the three parcels all are entitled to take delivery of one-third of all groundwater pumped from the well subject to the Well Sharing Easement Agreement, dated Nov. 15, 2017 and attached hereto as Attachment 2, Exhibit 1 (Agreement). Pursuant to this Agreement, the parties equally share water pumped from the well and all GSA and Pacific Gas and Electric, costs associated with this well and water use. Given the similar age, acreage and location of the pistachio orchards, these orchards should have nearly identical water use.

Copies of the GSA Water Use Forms and a summary of Pacific Gas & Electric (PG&E) bills are attached as Attachment 2, Exhibit 2 for reference. Notably, the GSA Water Use forms were filed for the three neighboring parcel acreage based on each parcel using 119.6 AF per year to irrigate each respective 40 acre pistachio orchard. Further, water use records for all three parcels generally indicate that the parcels use more than the Notice's recent estimated water use for the Slumskie Parcel. These records and the fact that the three parcels are under identical management and employing a proportionate cost split strongly indicate that the Slumskie Parcel should receive a larger allocation similar to comparable parcels with comparable orchards in the area. (See Attachment 2, Exhibit 2.)

In addition, Slumskie desires to correct the GSA's well information for the parcels. The Agreement covers the only well that currently irrigates the three parcels; it was drilled in 2016 and is located on a neighboring parcel. (See Attachment 2, Exhibit 3.) Prior to the construction of this well, the parties to the Agreement all shared a well located on the Slumskie's Parcel (APN 149-170-050). The GSA thus should correct its records to reflect this information.

In summary, Slumskie requests that the GSA increase its Parcel's allocation based on the available records to an allocation of approximately 140 AF in 2023 and 135 in 2024 and correct the GSA's well records.

Taylor Blakslee  
September 1, 2022  
Page 6

Thank you for your consideration of these comments and this request. Should you have questions, please contact me at (805) 882-1415 or Shastings@bhfs.com or Mack Carlson at (805) 882-1485 or Mcarlson@bhfs.com.

Respectfully submitted,



Stephanie Osler Hastings  
Mack Carlson

Enclosure: Attachment 1. Variance Request Form  
Attachment 2. Variance Supporting Information

Cc: Doug and Diana Slumskie (via email)  
Joe D. Hughes, Klein DeNatale Goldner (via email)

**Attachment 1**





# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

---

*Submit this form, including a \$250 fee (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.*

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Assessor Parcel Number(s) (APN): \_\_\_\_\_

---

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**Please describe the basis for your request and attach any supporting documentation**

Attachment 2

**Exhibit 1**



2017-0054977

Recorded at Request of  
Old Republic Title Company

Recorded  
Official Records  
County of  
Santa Barbara  
Joseph E. Holland  
County Clerk Recorder

REC FEE

82.00

**RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:**

Law Office of Melanie J. Aldridge  
7638 N. Ingram Avenue, Suite 202  
Fresno, CA 93711

08:00AM 15-Nov-2017 | MM  
Page 1 of 20

Title Order No. N/A  
Escrow No. 1411008299-Accommodation

APNs 149-170-047, 149-170-050 (County of Santa Barbara)  
APN 096-211-032 (County of San Luis Obispo)

**WELL SHARING EASEMENT AGREEMENT**

**R&T 11911 No Consideration**

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

**DOCUMENTARY TRANSFER TAX is \$: 0.00**

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- Unincorporated area  City of **AND**

Recorded at Request of  
Old Republic Title Company

RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:

Law Office of Melanie J. Aldridge  
7638 N. Ingram Avenue, Suite 202  
Fresno, CA 93711

Title Order No. N/A  
Escrow No. 1411008299-Accommodation

APNs 149-170-047, 149-170-050 (County of Santa Barbara)  
APN 096-211-032 (County of San Luis Obispo)

#### WELL SHARING EASEMENT AGREEMENT

This Well Sharing Easement Agreement ("Agreement") is made effective as of May 1, 2017, by and among (i) Roy Harrington and Elisabeth Harrington, as trustees of the Roy and Elisabeth Harrington Living Trust dated March 31, 2017, Jason M. Harrington and Mary Jo Harrington, as Trustees of the Jason M. Harrington and Mary Jo Harrington Revocable Living Trust dated September 2, 2015, and Ryan Patrick Harrington and Amy Lynn Harrington, as Trustees of the Ryan Patrick Harrington and Amy Lynn Harrington Family Trust dated April 19, 2016 (collectively, "Harrington"), (ii) Douglas A. Slumskie and Diane L. Slumskie, as Trustees of the Slumskie Family Trust dated April 9, 1996, William D. Calhoon, as Trustee of the William D. Calhoon Trust dated May 24, 1989, Gale Robert Calhoon and Diannia Lynn Calhoon, as Trustees of the Gale Robert Calhoon and Diannia Lynn Calhoon Family Trust dated December 10, 1998 (collectively, "Slumskie"), and (iii) Ann M. Buck, as Trustee of the Survivor's Trust dated August 17, 2015 created under The Buck Family Trust ("Buck"). For convenience, Harrington, Slumskie and Buck are sometimes collectively referred to herein as the "Parties" and individually as a "Party." This Agreement is made with reference to the following facts and circumstances:

A. Harrington is the owner of certain real property located in Santa Barbara County, California, more particularly described below (the "Harrington Property"):

Lot 1 of Section 2 in Township 9 North, Range 25 West, San Bernardino Base and Meridian, in County of Santa Barbara, State of California, according to the Official Plat of the survey of said land on file in the Bureau of Land Management and approved February 17, 1882.

(APN 149-170-047)

B. Slumskie is the owner of certain real property located in Santa Barbara County, California, more particularly described below (the "Slumskie Property"):

The Southeast quarter of the Northeast quarter of Section 2, in Township 9 North, Range 25 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, according to the Official Plat of the survey of said land on file in the Bureau of Land Management, and approved February 17, 1882.

Excepting therefrom the Southerly 200 feet of the Westerly 200 feet of said land.

(APN 149-170-050)

C. Buck is the owner of that certain real property located in the unincorporated area of the San

This document has been signed in counterpart.

Luis Obispo County, California, more particularly described below (the "Buck Property"):

The Southwest quarter of the Southeast quarter of Section 35, in Township 10 North, Range 25 West, San Bernardino Meridian, in County of San Luis Obispo, State of California, according to the Official Plat thereof.

Except therefrom 60% of all oil, mineral and hydrocarbon rights in or under said land, but without any right of entry, as reserved by Alfred E. O'Day, et al., in deed recorded July 20, 1966 in Book 1403, Page 618, of Official Records.

Also excepting therefrom the remaining 40% of all oil, mineral and hydrocarbon rights in or under said land, without any right of entry, as reserved by Harvey F. Wilson and Marian I. Wilson, husband and wife, in deed recorded March 20, 1973 in Book 1715, Page 663, of Official Records.

Also reserving unto Grantors and excepting therefrom an easement for irrigation pipeline over the Southerly 10 feet and the Westerly 10 feet of said land.

(APN 096-211-032)

D. The Parties each paid the expenses associated with the installation of an irrigation well (the "Well") and the equipment necessary to operate the Well (collectively, the "Supporting Equipment") on the Harrington Property. The location of the Well and Supporting Equipment are identified on Exhibit A to this Agreement (the "Well Site").

E. The Parties desire to memorialize their agreement regarding the ownership and use of the Well and Supporting Equipment and to grant the easements and other rights necessary for each of the Parties to use the Well and access the Well Site for the benefit of the Harrington Property, the Slumskie Property and the Buck Property (collectively, the "Irrigated Property").

NOW, THEREFORE, in consideration of the above recitals and agreements contained herein, the Parties hereby agree as follows:

1. Ownership of Well and Supporting Equipment. Each of the Parties shall own and be entitled to use the Well and Supporting Equipment in order to take delivery of their respective shares of groundwater produced by the Well in the proportions set forth below:

Harrington	One-third
Slumskie	One-third
Buck	One-third

2. Maintenance and Repair Costs. The costs of development, installation, use, maintenance, removal or repair of the Well or any of the Supporting Equipment shall be allocated among the Parties in accordance with their proportional ownership of the Well and Supporting Equipment as set forth in Section 1. On the request of those Parties comprising two-thirds of the ownership interest in the Well or if otherwise required by law, each Party shall install and maintain a water meter to record the diversions of water from the Well at each Party's sole, respective cost. Also, each Party shall be responsible for that portion of the power charges necessary to operate the Well and the Supporting Equipment for the irrigation of their respective share of the Irrigated Property, including standby charges. If a Party is in default in the payment of any power charges, Excess Maintenance Fees (defined below) or any other charges provided for in this Agreement, such Party shall have no right to use the Well or Supporting

Equipment unless and until such Party pays current all delinquent power, Excess Maintenance Fees or other charges plus an amount equal to 10 percent per annum on the delinquent amount.

3. Grant of Easements. Harrington hereby grants a non-exclusive easement to each of Buck and Slumskie over the Well Site and the West 15 feet of the Harrington Property (the "Easement Area") for the purposes of ingress and egress to the Well Site and, upon reasonable notice to Harrington, for the operation, use, maintenance, repairs, improvements, inspection or testing of the Well and Supporting Equipment. Notwithstanding any other provision of this Agreement, under no condition do the easements or other rights granted herein include the right to replace the Well or drill a new Well on the Harrington Property.

4. Pipelines.

a. Common Pipeline. The Parties acknowledge that an existing single water distribution pipeline runs from the Well Site through the Harrington Property and to the Slumskie Property (the "Common Pipeline"). Harrington grants to Slumskie a pipeline easement over that portion of the Harrington Property on which the Common Pipeline is currently located as set forth on Exhibit A. Harrington and Slumskie shall each be equally responsible for the repair and maintenance of that portion of the Common Pipeline which runs from the Well to the existing valve boxes located on the Harrington Property and Slumskie Property, respectively. Harrington and Slumskie shall each be solely responsible for the repair and maintenance of pipelines (or portions thereof) which extend from their respective valve boxes through the Harrington Property and the Slumskie Property, respectively.

b. Buck Pipeline. Buck shall be solely responsible for the maintenance, operation, and repair of the water distribution pipeline running from the Well to the Buck Property (the "Buck Pipeline"). Harrington hereby grants to Buck a pipeline easement over that portion of the Harrington Property as set forth on Exhibit A. Buck shall be solely responsible for the repair and maintenance of the Buck Pipeline.

c. Individual Pipelines. Any other pipeline or other conduit conveying water from the Well to less than all of the Parties (an "Individual Pipeline") and shall be the sole property of the Party served by such Individual Pipeline and such Party shall be solely responsible for all repairs and maintenance of such Individual Pipeline.

5. Excess Capacity. The Parties acknowledge that one or each of them may acquire additional property in the future which could benefit from the use of water from the Well and Supporting Equipment, but which is not identified in this Agreement (the "Other Property"). The Parties agree each of them may use their respective one-third share of any water produced from the Well which is in excess of the amount of water necessary to irrigate the existing pistachio trees on the Irrigated Property (the "Excess Water") for other uses on the Irrigated Property and on up to 40 acres of Other Property, whether such Other Property is owned or leased. Notwithstanding the foregoing, none of the three Parties to this Agreement shall be entitled to receive more than 240 acre feet of water per year from the Well for use on their respective shares of the Irrigated Property and/or the Other Property without the consent of the other Parties. Each Party shall be responsible for payment of the power expenses associated with the use of their respective share of the Excess Water. Each Party who extracts Excess Water shall also be responsible for paying an amount equal to \$25 per acre foot of Excess Water extracted as payment for the wear and tear on the Well and Supporting Equipment (the "Excess Maintenance Fee"). By way of example, if Slumskie extracts 10 acre feet of Excess Water, then the Excess Maintenance Fee would be \$250 of which one-third would be paid to Harrington, one third would be paid to Buck and one third would be paid/retained by Slumskie.

6. Nature of Rights. The Easements, rights and obligations described in this Agreement shall be appurtenant to each of the Harrington Property, Buck Property and Slumskie Property and shall run with such property and inure to the benefit of and bind the Parties hereto and the heirs, legal representatives, grantees of the respective Parties. The rights, duties and obligations herein are for the benefit of Harrington, Buck and Slumskie and their successors in interest in the Irrigated Property and shall not be assigned or conferred for the benefit of third parties.

7. Reservation of Rights. Harrington reserves the right to itself and its successors and assigns in the Harrington Property the right to use any portion of the Harrington Property subject to this Agreement for any purposes which will not interfere with the other Parties exercise of their respective rights under this Agreement.

8. Entire Agreement. This Agreement, including the attached exhibits, encompasses the entire agreement of the Parties with respect to the Well and Supporting Equipment located on the Harrington Property, and supersedes all previous understandings and agreements between the Parties regarding the Well and Supporting Equipment, on the Harrington Property, whether oral or written.

9. Counterparts. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original and all of which, taken together, shall be deemed to be but one and the same instrument.

10. California Law. This Agreement shall be governed by and construed and enforced in accordance with California law.

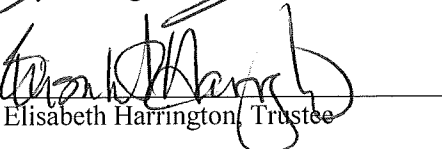
11. Waiver. The breach of or failure to enforce any breach or violation of any restriction contained in this Agreement shall not be deemed to be a waiver or abandonment of such restriction, or a waiver of the right to enforce any subsequent breach or violation of such restriction.

12. No Agency or Partnership. Nothing in this Agreement shall be deemed or construed by any person to create the relationship of principal and agent, or of limited or general partnership, or of joint venture, or of any other association between or among any of the Parties.

“HARRINGTON”

Roy and Elisabeth Harrington Living Trust  
dated March 31, 2017

By:   
Roy Harrington, Trustee

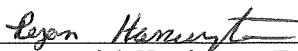
By:   
Elisabeth Harrington, Trustee

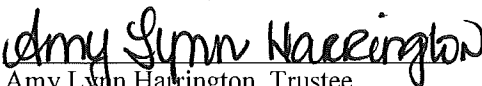
SIGNATURES CONTINUED ON NEXT PAGE

SEE ATTACHED  
ACKNOWLEDGEMENT  
Page 4 of 7



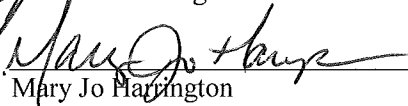
Ryan Patrick Harrington and Amy Lynn  
Harrington Family Trust dated April 19, 2016

By:   
Ryan Patrick Harrington, Trustee

By:   
Amy Lynn Harrington, Trustee

Jason M. Harrington and Mary Jo Harrington  
Revocable Living Trust dated September 2,  
2015

By:   
Jason M. Harrington

By:   
Mary Jo Harrington

“SLUMSKIE”

The Slumskie Family Trust dated April 9, 1996

By: \_\_\_\_\_  
Douglas A. Slumskie, Trustee

By: \_\_\_\_\_  
Diane L. Slumskie, Trustee

The William D. Calhoon Trust dated May 24,  
1989

By: \_\_\_\_\_  
William D. Calhoon, Trustee

The Gale Robert Calhoon and Diannia Lynn  
Calhoon Family Trust dated December 10, 1998

By: \_\_\_\_\_  
Gale Robert Calhoon, Trustee

By: \_\_\_\_\_  
Diannia Lynn Calhoon, Trustee

**Signed in counterpart**

SIGNATURES CONTINUED ON NEXT PAGE

Ryan Patrick Harrington and Amy Lynn  
Harrington Family Trust dated April 19, 2016

By: \_\_\_\_\_  
Ryan Patrick Harrington, Trustee

By: \_\_\_\_\_  
Amy Lynn Harrington, Trustee

Jason M. Harrington and Mary Jo Harrington  
Revocable Living Trust dated September 2,  
2015

By: \_\_\_\_\_  
Jason M. Harrington

By: \_\_\_\_\_  
Mary Jo Harrington

**Signed in counterpart**

“SLUMSKIE”

The Slumskie Family Trust dated April 9, 1996

By: \_\_\_\_\_  
Douglas A. Slumskie, Trustee

By: \_\_\_\_\_  
Diane L. Slumskie, Trustee

The William D. Calhoon Trust dated May 24,  
1989

By: \_\_\_\_\_  
William D. Calhoon, Trustee

SEE  
ATTACHED  
CERTIFICATE

AUG 08 2017

ACKNOWLEDGMENT  
JURAT  
COPY CERTIFICATE

The Gale Robert Calhoon and Diannia Lynn  
Calhoon Family Trust dated December 10, 1998

By: \_\_\_\_\_  
Gale Robert Calhoon, Trustee

By: \_\_\_\_\_  
Diannia Lynn Calhoon, Trustee

Notary Certificate  
Attached

SIGNATURES CONTINUED ON NEXT PAGE

“BUCK”

The Survivor’s Trust dated August 17, 2015  
created under the Buck Family Trust


By:   
Ann M. Buck, Trustee

EXHIBIT A

“Well Site”

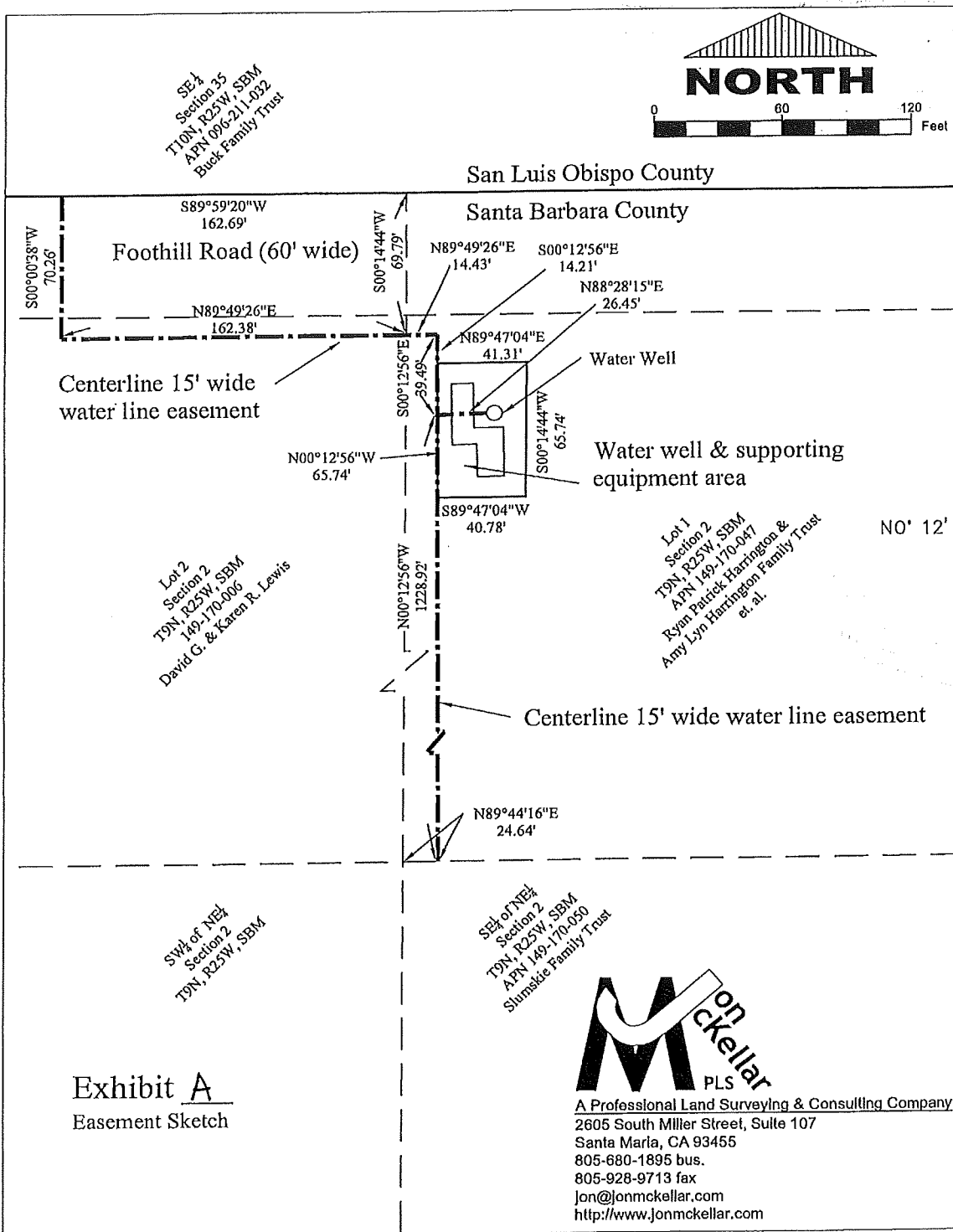


Exhibit A  
Easement Sketch

**Jon Mckellar** PLS  
 A Professional Land Surveying & Consulting Company  
 2605 South Miller Street, Suite 107  
 Santa Maria, CA 93455  
 805-680-1895 bus.  
 805-928-9713 fax  
 jon@jonmckellar.com  
 http://www.jonmckellar.com

CERTIFICATE OF ACKNOWLEDGMENT

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.

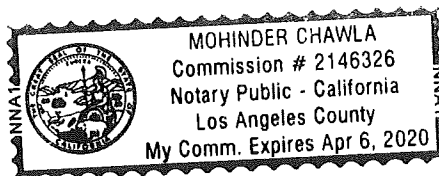
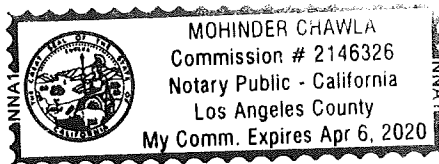
STATE OF CALIFORNIA )  
COUNTY OF   KENN   )

On   AUGUST 30/2017  , before me,   MOHINDER CHAWLA  , Notary Public, personally appeared   ROY LEE HARRINGTON  , 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.

  Mohinder Chawla    
Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

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.

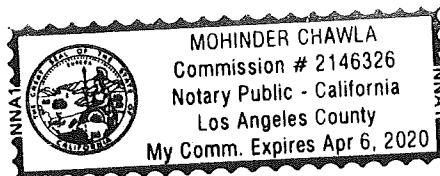
STATE OF CALIFORNIA            )  
COUNTY OF KERN            )

On AUGUST 30/2017, before me, MOHINDER CHAWLA, Notary Public, personally appeared ELISABETH SUZANNE HANINGTON, 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.

Mohinder Chawla  
Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

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.

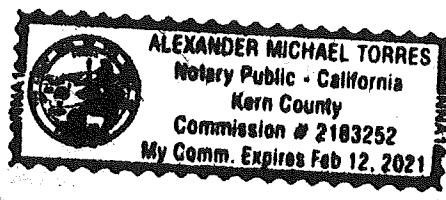
STATE OF CALIFORNIA            )  
 COUNTY OF Kern                )

On 8-21-17, before me, Alexander Michael Torres, Notary Public, personally appeared Humberto, Ryan Patrick, 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.

  
 Notary Public



## CERTIFICATE OF ACKNOWLEDGMENT

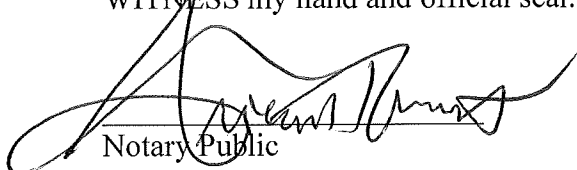
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

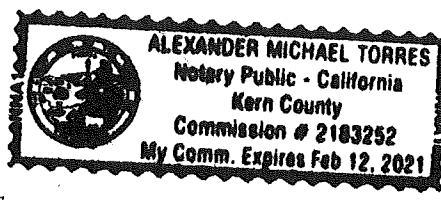
STATE OF CALIFORNIA           )  
 COUNTY OF Kern            )

On 8-21-17, before me, Alexander Michael Torres, Notary Public, personally appeared Harrington, Amy Lynn, 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.

  
 Notary Public





CERTIFICATE OF ACKNOWLEDGMENT

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 Kern )

On August 26, 2017, before me, Ashly Sierra, Notary Public, personally appeared Jason Mark Harrington, 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.

Ashly Sierra  
Notary Public



CERTIFICATE OF ACKNOWLEDGMENT

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 Kern )

On August 26, 2015 before me, Ashly Sierra, Notary Public, personally appeared Mary Jo Harrington, 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.

Ashly Sierra  
Notary Public



# California All-Purpose Certificate of Acknowledgment

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 LOS ANGELES

} S.S.

On August 8, 2017 before me, Patrick F. Sullivan, Notary Public  
Name of Notary Public, Title

personally appeared DOUGLAS A. SUMSKIE AND  
Name of Signer (1)

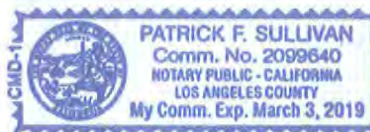
DIANE L. SUMSKIE  
Name of Signer (2)

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.

Patrick F. Sullivan  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Showing EASEMENT Agreement containing \_\_\_\_\_ pages, and dated August 8, 2017.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_ Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information	
<b>Method of Signer Identification</b>	
Proved to me on the basis of satisfactory evidence:	
<input type="checkbox"/> form(s) of identification	<input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on:	
Page # _____	Entry # _____
Notary contact: <u>310-400-3818</u>	
Other	
<input type="checkbox"/> Additional Signer	<input type="checkbox"/> Signer(s) Thumbprints(s)
<input type="checkbox"/>	_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

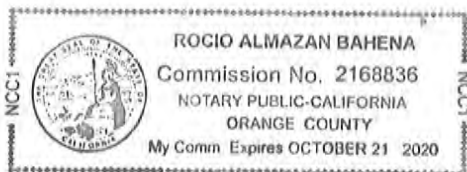
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Orange )
On Aug 8th, 2017 before me, Rocio Almazan Bahena, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared William D. Calhoon
Name(s) of Signer(s)

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 Rocio Almazan Bahena
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Well Sharing Easement Agmt Document Date:
Number of Pages: 1pg Signer(s) Other Than Named Above: no other signer(s)

Capacity(ies) Claimed by Signer(s)

Signer's Name: William D. Calhoon
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

# California All-Purpose Certificate of Acknowledgment

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 Riverside

S.S.

On August 4, 2017 before me, Michelle Martinez, Notary Public  
Name of Notary Public, Title

personally appeared Gale Robert Calhoon  
Name of Signer (1)

Dianna Lynn Calhoon  
Name of Signer (2)

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]  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Sharing

Easement Agreement

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- form(s) of identification
- credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer
- Signer(s) Thumbprints(s)
- \_\_\_\_\_

# California All-Purpose Certificate of Acknowledgment

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 Riverside

} s.s.

On September 20, 2018 before me, Michelle Martinez, Notary Public  
Name of Notary Public, Title

personally appeared Dianna Lynn Calhoon  
Name of Signer (1)

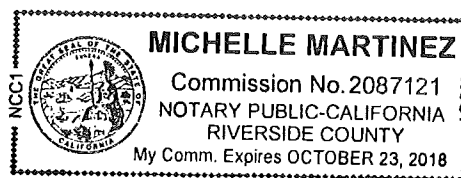
Gale Robert Calhoon  
Name of Signer (2)

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]  
Signature of Notary Public



Seal

### OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Well Sharing Easement Agreement containing \_\_\_\_\_ pages, and dated \_\_\_\_\_.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- form(s) of identification
- credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer
- Signer(s) Thumbprints(s)
- \_\_\_\_\_

## CERTIFICATE OF ACKNOWLEDGMENT

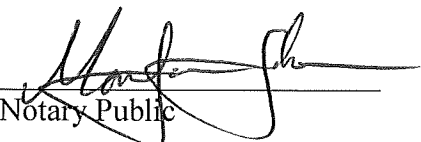
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

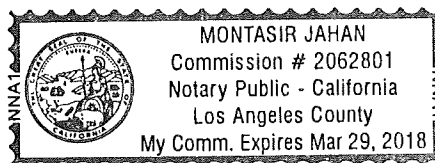
STATE OF CALIFORNIA            )  
 COUNTY OF Los Angeles    )

On 09/11/2017, before me, Montasir Jahan, Notary Public,  
 personally appeared Ann M. Buck, 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.

  
 Notary Public





# Flow Meter Installation Report

Cuyama Basin Groundwater Sustainability Agency

Thank you for filling out the Well Flow Meter Installation Report for the Cuyama GSA.

This form should be completed for **EACH** flow meter installed in the Cuyama Basin on all non-de minimis production (>2AFY) wells. Complete and accurate responses are critical for an equitable and data driven approach to groundwater management in the Cuyama Basin.

Any questions or concerns should be directed to [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com).

Thank you for your cooperation and participation.

## Landowner Information

1) Landowner name (First and Last): Roy Harrington, Jason Harrington, Ryan Harrington

2) Well operating company or organization: Triple H Farming, LLC, Ann Buck, CCSH Farms

## Meter/Well Location

3) Well Name/number (please provide all known names/IDs separated by a semicolon (“;”):

n/a

4) Geographical coordinates (decimal degree):

Latitude: 34.8975373 Longitude: -119.5195546

## Meter Information

5) Flow meter make/ manufacturer: Seametrics

6) Meter serial number: 04201441

## Installation Information

7) Installer name/company: S.A. Camp Pump and Drilling Company

8) Installation date: 4/21/2021

## Attachments

Please attach the following to an email and send to Taylor Blakslee at [TBlakslee@hgcpm.com](mailto:TBlakslee@hgcpm.com). Please utilize the flow meter’s serial number in the name of the file attachments so that attachments are filed accurately and to minimize staff time.

- Manufacturer calibration certificate/documentation
  - attachment name “Serial-number\_CalibrationDoc.pdf” (ex. “12345abc6789\_CalibrationDoc.pdf”)
- Pictures of well and meter
  - attachment name “Serial-number\_Well/Meter\_Photo\_#of#.jpeg” (ex. “12345abc6789\_Well\_Photo\_2of4.jpeg”)



**Exhibit 2**

# WATER USAGE Elec Bill<sup>s</sup>

2013	13,540.00
2014	24,288.00
2015	23,200.00
2016	25,379.00
2017	20,690.00
2018	26,453.00
2019	29,187.00
2020	31,900.00
2021	35,601.00

AS OF 7-31-22  
2022 13,855.00  
+

TRIPLE H FARMING, LLC

275  
1031

11-35/1210 CA  
72555

DATE 12-31-19

PAY TO THE ORDER OF Cuyama Basin Groundwater Sustainability Agency \$ 2356.00  
Two thousand three hundred fifty-six & no/100 DOLLARS

Bank of America

ACH R/T 12100358  
FOR Apr: 149-170-047 2020 groundwater extraction fee

*[Signature]*

CCSH FARMS LLC

$\frac{1}{3}$

2465

DATE 12-16-19

90-3582/1222

PAY TO THE ORDER OF Cuyama Basin Groundwater Sustainability Agency \$ 2346.50  
Two thousand three hundred forty six &  $\frac{50}{100}$  DOLLARS

usbank. All of us serving you®

FOR \_\_\_\_\_

*[Signature]*

ANN M. BUCK

JP Morgan Chase Bank, NA  
90-7162/3222

7297

12/17/2019

PAY TO THE ORDER OF Cuyama Basin Grndwtr Sustainabilty Agency \$ \*\*2,346.50

Two Thousand Three Hundred Forty-Six and 50/100\*\*\*\*\* DOLLARS

Cuyama Basin Grndwtr Sustainabilty Agency

MEMO

123.5 Acre Feet @ \$19/Acre Foot

*[Signature]*  
*[Signature]*  
AUTHORISED SIGNATURE

12-16-19 TOTAL 1049.00  
 $\frac{1}{3}$  2,346.50

# CUYAMA BASIN GSA

500 Capitol Mall, Ste 2350  
Sacramento, CA 95814

## Invoice

Date	Invoice #
5/14/2021	GWE2021-77

Bill To
Roy Harrington [REDACTED]

Due Date
6/30/2021

Description	2019 Consumption	Cost Per AF	Amount Due
<p>Cuyama Basin GSA Fiscal Year 2021/2022 Groundwater Extraction Fees: 2019 Water Use Based on Crop Factors</p> <p>The CBGSA attempted to contact you to obtain your 2020 water use but was unsuccessful. Therefore, your 2019 water use was used in the interim for Fiscal Year 2021-2022 fee development and invoicing purposes. If your water use is incorrect, please contact CBGSA Project Manager Taylor Blakslee at 661-477-3385, or tblakslee@hgcpm.com.</p>	358.8	39.00	13,993.20
<p>For additional information regarding this invoice or the associated fees, please refer to the Cuyama Basin GSA website for the Fiscal Year 2021/2022 Fee Report.</p> <p>LATE FEE: Fees are due by June 30, 2021. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.</p>	$\frac{1}{3}$	<p><i>[Signature]</i> 6-9-21 41664.40</p>	
For questions regarding this invoice please contact Taylor Blakslee with The Hallmark Group (661) 477-3385. Please send payments to the Sacramento, CA address above - Thank You		<b>Total</b>	<b>\$13,993.20</b>

# CUYAMA BASIN GSA

500 Capitol Mall, Ste 2350  
Sacramento, CA 95814

## Invoice<sup>277</sup>

Date	Invoice #
5/16/2022	GWEFY23-12

Bill To

Roy Harrington  
[REDACTED]

Due Date

6/30/2022

Description	2021 Consumption	Cost Per AF	Amount Due
Cuyama Basin GSA Fiscal Year 2022/2023 Groundwater Extraction Fee: 2021 Water Use Based On Crop Factors	358.8	38.00	13,634.40
<p>For additional information regarding this invoice or the associated fees, please refer to the Cuyama Basin GSA website for the Fiscal Year 2022/2023 Fee Report.</p> <p>LATE FEE: Fees are due by June 30, 2022. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.</p>			
<p>Handwritten: Paid 1/3 4,544.80 6-7-2022</p>			
For questions regarding this invoice please contact Taylor Blakslec with The Hallmark Group (661) 477-3385. Please send payments to the Sacramento, CA address above - Thank You			<b>Total</b> \$13,634.40

Check Copy

Invoice Number	Invoice Date	Description	Amount
8/31/2022 - CCSH	08/31/2022	Payment of variance request filing fee for CCSH - Slumskie	250.00
		<b>Check Total</b>	<u>\$ 250.00</u>

THE FACE OF THIS CHECK IS PRINTED BLUE-THE BACK CONTAINS A SIMULATED WATERMARK

**Brownstein Hyatt  
Farber Schreck**

Brownstein Hyatt Farber Schreck,  
LLP  
410 Seventeenth Street, Suite 2200

KeyBank National Association  
Denver, CO 80202  
82-7026/3070

**313862**

KeyBank - Operating

September 01, 2022

PAY Two Hundred Fifty and 00/100 Dollar(s)

\$ \*\*\*\*\*250.00

NOT NEGOTIABLE AFTER SIX MONTHS

TO THE  
ORDER  
OF

Cuyama Basin Groundwater Sustainability Agency  
4900 California Avenue  
Tower B, 2nd Floor  
Bakersfield, CA 93309

AUTHORIZED SIGNATURE



**Fennemore LLP.**

**Derek Hoffman**  
**Director**  
 dhoffman@fennemorelaw.com  
 550 E. Hospitality Lane, Suite 350  
 San Bernardino, California 92408  
 PH (559) 446-3224  
 fennemorelaw.com

October 13, 2022

**VIA EMAIL AND OVERNIGHT MAIL**

Taylor Blakslee (tblakslee@hgcpm.com)  
 Assistant Executive Director  
 Cuyama Basin Groundwater Sustainability Agency  
 4900 California Avenue  
 Tower B, Suite 210  
 Bakersfield, CA 93309

Re: Variance Request - Duncan Family Farms, LLC / Aguila G-Boys, LLC

Dear Mr. Blakslee:

On behalf of our clients, Duncan Family Farms, LLC and Aguila G-Boys LLC (collectively, “Duncan Family Farms”) we submit this 2023 and 2024 pumping allocation variance request (“Variance Request”) for consideration by the Board of Directors of the Cuyama Basin Groundwater Sustainability Agency (“CBGSA”). A \$250 check has been placed in the mail to your office.

Duncan Family Farms, LLC and Aguila G-Boys LLC (“Aguila”) are related entities operated under the same management. Duncan Family Farms, LLC operates the farming business on lands owned by Aguila. Aguila purchased its properties in 2010. Duncan Family Farms and its predecessors have operated within the Cuyama Groundwater Basin for many years.

**General Comments and Objections to Allocation Policy**

Duncan Family Farms echoes and incorporates comments and concerns raised in variance request packages submitted by other pumpers responsive to the CBGSA “Notice of Central Management Area Policies and Landowner Requirements” (“Allocation Notice”), including as follows.

Any Allocation Program Should be Formally Adopted by Resolution or Ordinance

SGMA provides that GSAs may adopt formal policies, rules and regulations by ordinance or resolution. When properly adopted, such a formal action would necessarily include the information, findings and background supporting the action. The Allocation Notice does not meet that standard and is, as a result, vague and unclear. An attempt to understand the details and rationale of the Allocation Notice requires sifting through hundreds of pages and months of Board



Fennemore LLP.

Taylor Blakslee (tblakslee@hgcpm.com)

October 13, 2022

Page 2

meeting minutes and leaves many questions unanswered. Any allocation policy must be adopted through a formal, publicly noticed ordinance or resolution that specifically defines the regulations or allocations and all penalties for failure to comply with those regulations. Due process and SGMA require a process through which the public can meaningfully participate in the development of any allocation policy.

#### The Variance Request Evaluation Criteria and Process is Unclear

The Allocation Notice provides only general information regarding how the proposed allocations were derived. It does not supply the underlying data or the assumptions used, nor does it state the criteria by which variance requests will be evaluated. The modeling tool and its assumptions appear to be incorrect or incomplete in several material respects and should be made available to landowners for review. Variance request packages submitted to date differ widely in their range, detail and scope. The CBGSA should provide the underlying data upon which the proposed allocations were based clearly establish the evaluation criteria for variances.

#### The Allocation Notice Conflicts with California Water Law Principles

As expressly stated in SGMA, neither the GSA nor the GSP has power to determine or alter groundwater rights. The Allocation Notice, which aims to limit pumping of only a subset of the Basin's water users, fails to consider or conform to common law water rights. The allocations in the Allocation Notice should be deferred pending the outcome or at least substantial development of the pending groundwater basin adjudication in which only the court may determine and quantify water rights.

Duncan Family Farms further objects to the Allocation Notice using an average water use from 1998-2017 as a baseline or basis for establishing allocations. Since its acquisition of the property in 2010, Duncan Family Farms expanded its irrigation system and has more actively farmed its property than prior owners. Duncan Family Farms' actual water demand is more accurately reflected by its own water use history than that of its predecessors.<sup>1</sup> Any allocation for Duncan Family Farms should reflect its actual water demand.

Duncan Family Farms is in the process of developing additional information and reserves the right to supplement, amend and otherwise update this Variance Request as new or additional information becomes available.

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<sup>1</sup> Duncan Family Farms reserves the right to supplement this request as additional information and data is developed regarding its predecessors' water use.

**Fennemore LLP.**

Taylor Blakslee (tblakslee@hgcpm.com)

October 13, 2022

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**Data Corrections for Duncan Family Farms**

The Allocation Notice incorrectly and significantly understates the Duncan Family Farms land acreage. As a result, the CBGSA water usage estimates in the Allocation Notice are also understated by application of acre-feet per acre figures to the incorrect low total acreage. The Duncan Family Farms APNs include:

149-010-023	– 355.73 acres
149-010-024	– 191.29 acres
149-010-025	– 130.91 acres
149-010-026	– 1.00 acre
149-290-007	– 91.00 acres
149-290-025	– 170.96 acres
<b>Total</b>	<b>940.89 acres</b>

The CBGSA proposed allocation incorrectly identifies APN 149-010-024 as 0.34 acres, and assigns a 2023 allocation of 0.42 AF. This APN, however, comprises 191.29 acres, which requires a significant upward adjustment to the allocation. The same is true for APN 149-290-007, which the CBGSA incorrectly identifies as 81.42 acres but is in fact 91.00 acres. The CBGSA lists total Duncan Family Farms acreage at 740.12 acres. The correct total APN acreage is 940.89 acres. A Duncan Family Farms APN Acreage Map is attached as **Exhibit “1”**. Since Duncan Family Farms acquired its property in 2010, the net annual irrigated area of its owned properties is approximately 808 acres.

Additionally, since late 2018, Duncan Family Farms has leased a 20-acre portion of the 63.24-acre APN 149-290-004, on which it farms and applies water produced from its irrigation system. The Allocation Notice does not contain policy statements regarding water use on leased properties and currently assigns an allocation of water for this APN to the property owner, which allocation should instead be assigned to Duncan Family Farms. The 20-acre leased area results in a total net irrigated area of approximately 828 acres.

Further, Duncan Family Farms operates an approximately 10-acre compost facility on APN 149-290-025, which is estimated to use 1.5 acre-feet per acre annually, for a total of 15 AFY.

**Variance Request**

Duncan Family Farms grows a variety of leafy greens within the Basin. It follows best farming practices common in the local area, including irrigation for cover crops and weed management. Attached as **Exhibit “2”** is a spreadsheet summarizing Duncan Family Farms’ water usage and corrected land acreage. The applicable crop duty rates in the spreadsheet generally

**Fennemore LLP.**

Taylor Blakslee (tblakslee@hgcpm.com)

October 13, 2022

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reflect the rates contained the Cal Poly ITRC Report # R 03-001. The data also includes water use for the compost facility.

In summary, the Allocation Notice identifies total annual average applied water use for Aguila G-Boys LLC for years 1998-2017 in the amount of 728.58 acre feet, a corresponding allocation of 926 AF for 2023 and 888.08 AF for 2024. As set forth in the enclosed water use summary, Duncan Family Farm's actual water use is more accurately reflected by its average use from years 2013-2017, which is approximately 2,046 AFY, plus approximately 44 AFY for the leased 20 acres, totaling 2,090 AFY—much higher than the figures provided in the Allocation Notice. Subject to its reservation of all rights and objections, including its right supplement with additional information, Duncan Family Farms requests that the CBGSA correct its data and asserts that Duncan Family Farms is entitled to an allocation in an amount of at least 2,090 AFY for 2023.

Duncan Family Farms appreciates your recent correspondence with Production Manager Mark Ellsworth regarding the pending submission of this Variance Request and your invitation to Duncan Family Farms to submit its Variance Request ahead of the November CBGSA Board meeting. As noted in that correspondence, we understand the CBGSA currently anticipates that any final allocation decisions will likely be delayed past December 2022 and into January 2023 as the Board is now considering further policy matters pertaining to the Central Basin Management Area. We also observe that variance requests submitted by other pumpers raise both similar and additional concerns that warrant reconsideration and of the allocation program altogether and corrections to various inaccuracies.

Duncan Family Farms agrees that the CBGSA has plenty of time to consider this Variance Request and those submitted by other parties and to make necessary corrections to inaccuracies. By contrast, a failure to correct the inaccuracies and pumping allocations as described in this Variance Request would impose significant negative impacts on Duncan Family Farms.

Thank you for your consideration of this Variance Request. Duncan Family Farms welcomes the opportunity to discuss this request with CBGSA staff at your convenience.

Sincerely,

FENNEMORE LLP



Derek Hoffman

DHOF/dhof

Attachments and \$250 Check

# VARIANCE REQUEST FORM

For 2023 and 2024 in the Central Management Area

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

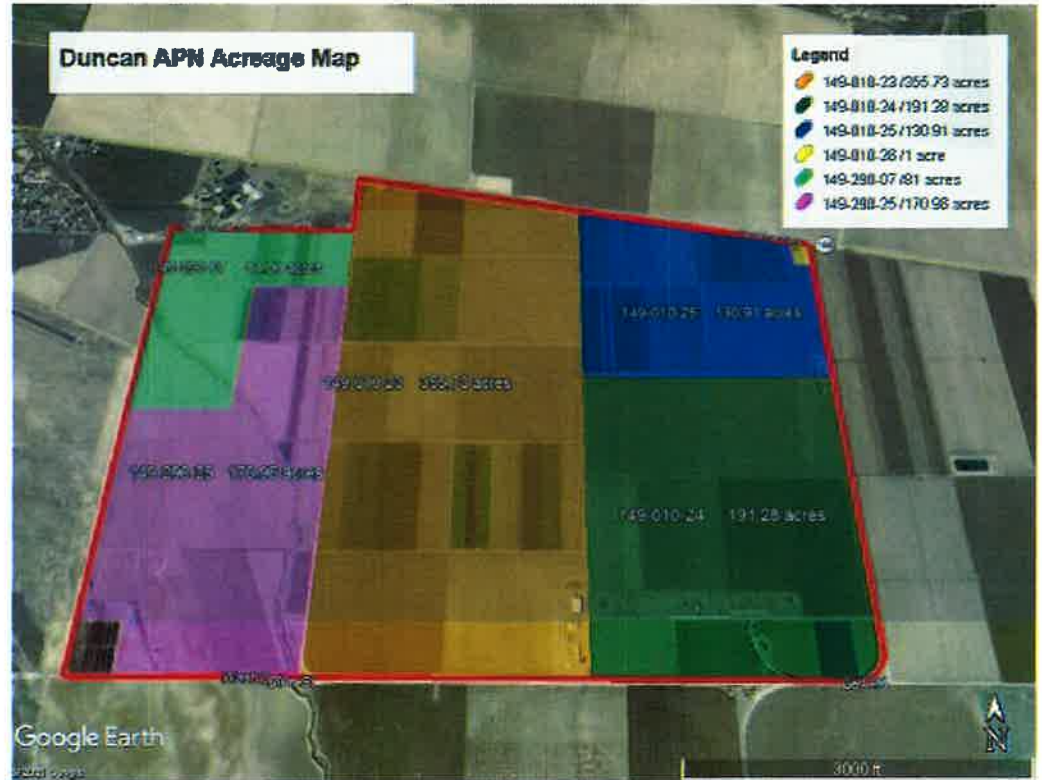
Submit this form, including a \$250 fee (which may be reimbursed if corrections are due to inaccuracies with the CBGSA's records), to Taylor Blakslee at 4900 California Ave, Tower B, Suite 210, Bakersfield, CA 93309.

Name: DUNCAN FAMILY FARMS, LLC / AGUILA G-BOYS, LLC  
Date: OCTOBER 13, 2022  
Phone: 928 920-9125  
Email: MARY.ELLSWORTH@DUNCANFAMILYFARMS.NET  
Assessor Parcel Number(s) (APN): \_\_\_\_\_  
SEE ENCLOSED LETTER

Please describe the basis for your request and attach any supporting documentation

SEE ENCLOSED LETTER.

# EXHIBIT 1



# EXHIBIT 2

## Duncan Family Farms Water Use Summary

### Cuyama Basin GSA Variance Application

Year	Corrected Acreage*	AF/Acre**	Compost Facility Acreage	Compost Facility AF/Ac	Total Acre Feet
1998	940.89	1.60			1,505.16
1999	940.89	1.02			957.79
2000	940.89	1.14			1,073.14
2001	940.89	1.32			1,243.61
2002	940.89	0.98			924.96
2003	940.89	1.14			1,073.80
2004	940.89	0.47			439.02
2005	940.89	1.02			956.63
2006	940.89	0.74			694.05
2007	940.89	0.70			657.16
2008	940.89	0.65			612.07
2009	940.89	0.63			596.72
2010	808.00	2.10	10	1.5	1,711.80
2011	808.00	2.20	10	1.5	1,792.60
2012	808.00	2.50	10	1.5	2,035.00
2013	808.00	2.52	10	1.5	2,051.16
2014	808.00	2.50	10	1.5	2,035.00
2015	808.00	2.55	10	1.5	2,075.40
2016	808.00	2.60	10	1.5	2,115.80
2017	808.00	2.40	10	1.5	1,954.20
Average 2013-2017					2,046.31
Leased Area	20.1	2.20			44.22
<b>Estimated Total Annual Water Demand</b>					<b>2,090.53</b>

#### Notes:

\*Reflects corrected total APN acreage 1998-2009 and DFF irrigated acreage 2010-2017

\*\*Reflects CBGSA data for applied water use for years 1998-2009

\*\*Reflects DFF Crop Rate data per Cal Poly ITRC Report # R 03-001 for years 2010-2017





TO: Board of Directors  
Agenda Item No. 11

FROM: Jim Beck / Joe Hughes

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on Administration of Pumping Reductions in the Central Management Area

**Recommended Motion**

Adopt the Central Management Area administrative policy as outlined in agenda item no. 11.

**Discussion**

On September 7, 2022, the Cuyama Basin Groundwater Sustainability Agency provided direction on several Central Management Area (CMA) policy points. One outstanding policy point is how to administer the pumping reductions in the CMA given the question of how "Farming Units" would be handled. The Board directed staff to develop a policy with the CMA Policy ad hoc to address the issue of wells in/out of the CMA serving lands out/in of the CMA which is provided as agenda item No. 9.

The draft CMA Administrative Policy was revised to reflect elements of the draft policy considering wells in/out of the CMA serving lands out/in of the CMA and is provided as Attachment 1 for consideration of approval.

# 11. Discussion and Appropriate Action on Administration of Pumping Reductions in the Central Management Area

Jim Beck / Joe Hughes

November 2, 2022



# Background

- On May 4, 2022, the Board provided direction on administering the pumping reduction in the Central Management Area
- On July 6, 2022, the following policy was presented, and the Board directed to staff to bring this draft policy back for review at the September 7, 2022, Board meeting
- During the September 7, 2022, Board meeting the issue of Farming Units was raised and the Board directed staff to develop policies to address this issue
- A draft policy to address Farming Units has been developed and is reflected in the following draft administrative policy

# Draft Administration of Pumping Reduction Policy

- The CBGSA will develop a water allocation for each parcel in the CMA and part of a “Farming Unit”
  - Preliminary allocations will be provided to landowners in the CMA in July 2022
  - Variance request forms are due September 1, 2022, for 2023 and 2024 allocations
  - The Board will decide on variance requests on November 2, 2022
  - Final landowner allocations will be provided to landowners in the CMA by December 1, 2022 (\*tentative)
- Each landowner/operator must submit monthly meter readings for the preceding year by January 31<sup>st</sup> according to the CBGSA meter reporting instructions (provided at [www.cuyamabasin.org](http://www.cuyamabasin.org))
- Each landowner must list the APNs the well served and how many acre-feet of water was used on each APN
- Staff will develop a water accounting to report at the March Board meeting



TO: Board of Directors  
Agenda Item No. 12

FROM: Jim Beck / Joe Hughes

DATE: November 2, 2022

SUBJECT: Approval of GSA Well Permit Policy and Forms

**Recommended Motion**

Approve GSA well permit policy and forms as outlined in agenda item No 12.

**Discussion**

On July 6, 2022, the Board directed staff to continue the development of GSA well permit policies with an ad hoc in compliance with the Governor's Executive Order N-7-22. The Well Permit ad hoc met on August 22, 2022, and August 29, 2022, to develop draft options for a well permit policy, and on September 7, 2022, the Board approved general well permit requirements for replacement/modified wells and new wells.

The draft well permit policy is provided as Attachment 1 and the Replacement Well Form and New Well Form are provided as Attachments 2 and 3, respectively.

One outstanding issue is whether the Board will include a review fee with forms to account for the administrative burden of processing and reviewing forms.

This draft policy and forms are provided for consideration of approval. If approved, the policy and forms will be uploaded to the Cuyama Basin GSA website and distributed via email to stakeholders and county well permitting agencies.

## **DRAFT REPLACEMENT/NEW WELL PERMIT POLICY**

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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### **Policy Purpose**

On March 28, 2022, the Governor issued Executive Order N-7-22 in response to ongoing drought conditions (<https://www.gov.ca.gov/wp-content/uploads/2022/03/March-2022-Drought-EO.pdf>). The Executive Order requires Groundwater Sustainability Agencies (GSAs) to evaluate and determine replacement and new well impacts to sustainability goals prior to county approval of well permits.

### **Who Does this Policy Apply to?**

The Executive Order applies to production wells.

The Executive Order *does not* apply to the following categories:

- Permits for wells that will provide less than two acre-feet of groundwater per year for individual domestic users.
- Permits for wells that will exclusively provide groundwater to public water systems or state small water systems, as defined by Health and Safety Code section 116275.
- Permits for wells in adjudicated basins identified in Water Code section 10720.8
- Maintenance of a groundwater well
- Alterations, replacement, or maintenance to a well pump

### **Policy for Modification/Replacement Wells**

Well owners that wish to replace an existing well must meet the below requirements:

- Replacement well must not exceed the maximum historical capacity of existing well to be verified by well driller.
- Replacement well must be within a half mile of the existing well.
- Existing well must be properly abandoned following county procedures.

### *Process*

1. Well owner to submit **Replacement Well Form** and a \$ review fee to the Cuyama Basin GSA at 500 Capitol Mall, Suite 2350, Sacramento CA, 95814
2. GSA staff will review form to determine if the requirements have been met.
3. If the requirements are met, staff will sign the form and return to the well applicant.
4. If the requirements are not met, staff will communicate the reason with the well applicant.
5. If, after reviewing the **Replacement Well Form**, staff determines the well request is actually a new well and the well applicant disagrees, the well applicant may appeal this determination at a Cuyama Board meeting.

### Policy for Construction of New Wells

Landowners that wish to construct a new well are required to conduct a hydrogeologic analysis that demonstrates “(i) the proposed well would not be inconsistent with the GSA’s Groundwater Sustainability Plan (GSP); and (ii) the proposed well would not decrease the likelihood of achieving a sustainability goal included in that GSA’s GSP.”

#### *Process*

1. Well owner to submit **New Well Form**, hydrogeologic analysis documentation, and a \$ [redacted] review fee to the Cuyama Basin GSA at 500 Capitol Mall, Suite 2350, Sacramento CA, 95814
2. GSA staff will review **New Well Form** and hydrogeologic analysis to determine if the GSA requirements have been met.
3. If the requirements are met, staff will include the form and hydrogeologic analysis on the next regularly scheduled Cuyama Basin GSA Board meeting consent agenda for consideration of Board approval.
4. If the requirements are not met, staff will communicate the reason to the well applicant.
5. If the Board approves the application, the GSA will sign the **New Well Form**, and return to well applicant.



# DRAFT Replacement Well Form

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

### Form Instructions

For modification to an existing well or an installation of a replacement well, please fill out this form completely, along with a \$ review fee, and submit to Cuyama Basin Groundwater Sustainability Agency (CBGSA) at 500 Capitol Mall, Suite 2350, Sacramento CA, 95814. Please contact Taylor Blakslee at [tblakslee@hgcpm.com](mailto:tblakslee@hgcpm.com), or 661-477-3385 if you have any questions.

### Landowner and Well Information

- 1 Landowner Name \_\_\_\_\_
- 2 Company/Organization \_\_\_\_\_
- 3 Address \_\_\_\_\_
- 4 Phone Number \_\_\_\_\_
- 5 Email \_\_\_\_\_
- 6 Well Name/Number (if applicable) \_\_\_\_\_
- 7 Well Location (lat/long in Decimal Degree) \_\_\_\_\_

### Cuyama Basin Groundwater Sustainability Agency Modification/Replacement Well Requirements

Please verify the following CBGSA requirements will be met by checking the below boxes ***and providing*** documentation from the well driller regarding the proposed well capacity and maximum historical well capacity, and a map of the replacement well location.

- Well must not exceed the maximum historical capacity and to be verified by well driller (*attach driller documentation*)
- Well must be within a half mile of the existing well (*attach map*)
- Existing well must be properly abandoned following county procedures

### ***For the GSA to fill out:***

- The proposed well is not inconsistent with the Groundwater Sustainability Agency’s adopted, or in progress, Groundwater Sustainability Plan; and,
- The proposed well does not interfere with the Groundwater Sustainability Agency’s SGMA authorities, including the Agency’s addressing of undesirable results and the likelihood of achieving the sustainability goal.

I hereby certify that the GSA has reviewed the above conditions for the subject property for compliance with Executive Order N-7-22 and have marked each box for compliance as applicable.

\_\_\_\_\_  
Groundwater Sustainability Agency Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title





# DRAFT New Well Form

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

### Form Instructions

For installation of a new well, please fill out this form completely, along with a \$ review fee, and submit to Cuyama Basin Groundwater Sustainability Agency (CBGSA) at 500 Capitol Mall, Suite 2350, Sacramento CA, 95814. Please contact Taylor Blakslee at [tblakslee@hgcpm.com](mailto:tblakslee@hgcpm.com), or (661) 477-3385 if you have any questions. \*Note: all new wells in the Cuyama Basin are required to install a flow meter and submit a flow meter reporting form. Guidance on installing a flow meter and the reporting form can be found at [www.cuyamabasin.org/resources](http://www.cuyamabasin.org/resources). The CBGSA also requests a completed well survey form for new wells which can be downloaded from the above website address.

### Landowner and Well Information

- 1 Landowner Name \_\_\_\_\_
- 2 Company/Organization \_\_\_\_\_
- 3 Address \_\_\_\_\_
- 4 Phone Number \_\_\_\_\_
- 5 Email \_\_\_\_\_
- 6 Well Name/Number (if applicable) \_\_\_\_\_
- 7 Well Location (lat/long in Decimal Degree) \_\_\_\_\_

### Cuyama Basin Groundwater Sustainability Agency Modification/Replacement Well Requirements

Please verify the following CBGSA requirement will be met by checking the below box **and providing** the required hydrogeologic analysis.

- Landowner must conduct a hydrogeologic analysis that demonstrates “(i) the proposed well would not be inconsistent with the GSA’s Groundwater Sustainability Plan (GSP); and (ii) the proposed well would not decrease the likelihood of achieving a sustainability goal included in that GSA’s GSP.” (attach hydrogeologic analysis)

### For the GSA to fill out:

- The proposed well is not inconsistent with the Groundwater Sustainability Agency’s adopted, or in progress, Groundwater Sustainability Plan; and,
- The proposed well does not interfere with the Groundwater Sustainability Agency’s SGMA authorities, including the Agency’s addressing of undesirable results and the likelihood of achieving the sustainability goal.

I hereby certify that the GSA has reviewed the above conditions for the subject property for compliance with Executive Order N-7-22 and have marked each box for compliance as applicable.

\_\_\_\_\_  
Groundwater Sustainability Agency Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title



TO: Board of Directors  
Agenda Item No. 13

FROM: Jim Beck / Joe Hughes / Brian Van Lienden

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on Adaptive Management Analysis

**Recommended Motion**

Board feedback requested.

**Discussion**

On May 4, 2022, the Cuyama Basin Groundwater Sustainability Agency Board directed staff to perform modeling and GIS analyses to evaluate potential changes to (1) minimum thresholds (MTs) in the Central Management Area (CMA) and (2) the undesirable results criteria (30% of wells below MTs for two consecutive years).

The modeling analysis is provided as Attachment 1 and staff is seeking SAC/Board feedback on whether it would like to continue the process of potentially adjusting either the CMA MTs, undesirable results criteria, or a combination of both.

If the Board directs staff to continue with the analysis, staff will propose options for adjusting MTs in the CMA and undesirable results criteria at the January 2023 meetings to ensure the GSA does not experience undesirable results for the next two years until this issue can be addressed more completely during the major 2025 GSP update.

Currently, undesirable results for groundwater levels are expected to be experienced in June 2023.

Cuyama Basin Groundwater Sustainability Agency

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# 13. Discussion and Appropriate Action on Adaptive Management Analysis

Jim Beck / Joe Hughes / Brian Van Lienden

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November 2, 2022



# Previous CBGSA Board Direction

Jim Beck

- Directed staff to perform analysis for options 3 [Revise (Lower) Minimum Thresholds] and 4 [Revise Undesirable Results Trigger (30% for 2-years)]
- The following steps were approved:
  - Perform well survey of all wells in Basin
  - Analyze water level trends at representative monitoring wells with respect to historical hydrology and groundwater extraction (presented at September Board meeting)
  - CBWRM analysis to estimate future groundwater levels as pumping reductions are implemented following the glidepath
  - GIS-based analysis to assess potential impacts to beneficial uses and users

# Well Survey Summary

Brian Van Lienden

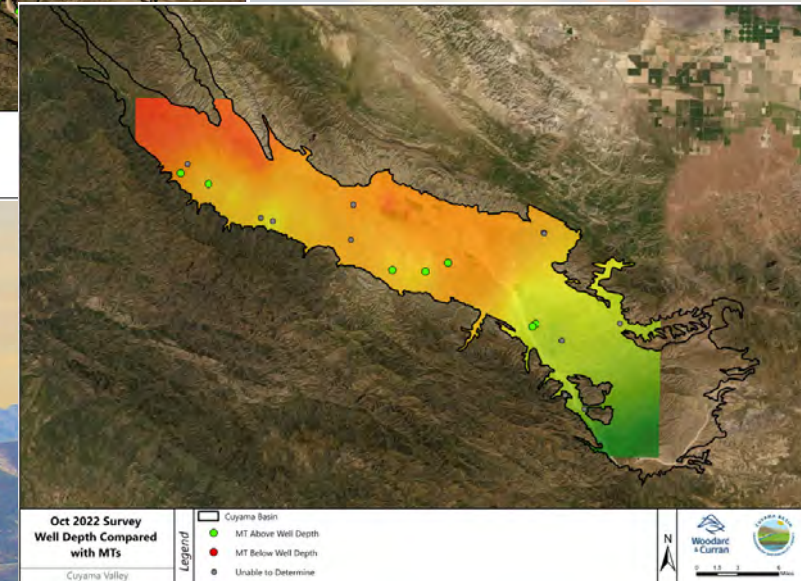
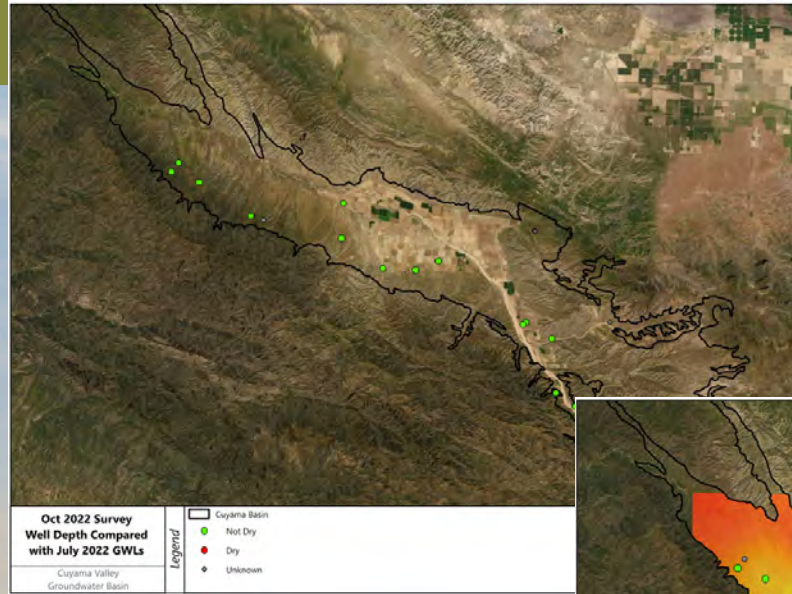
301

- 150 well surveys received
- If you have not submitted a well survey please still provide that information to staff

# Comparison of Domestic/Residential Wells Against Current Conditions and Minimum Thresholds 302

- Wells reported in the survey as active and as residential/domestic were evaluated using same criteria as used for previous dataset in Revised GSP:

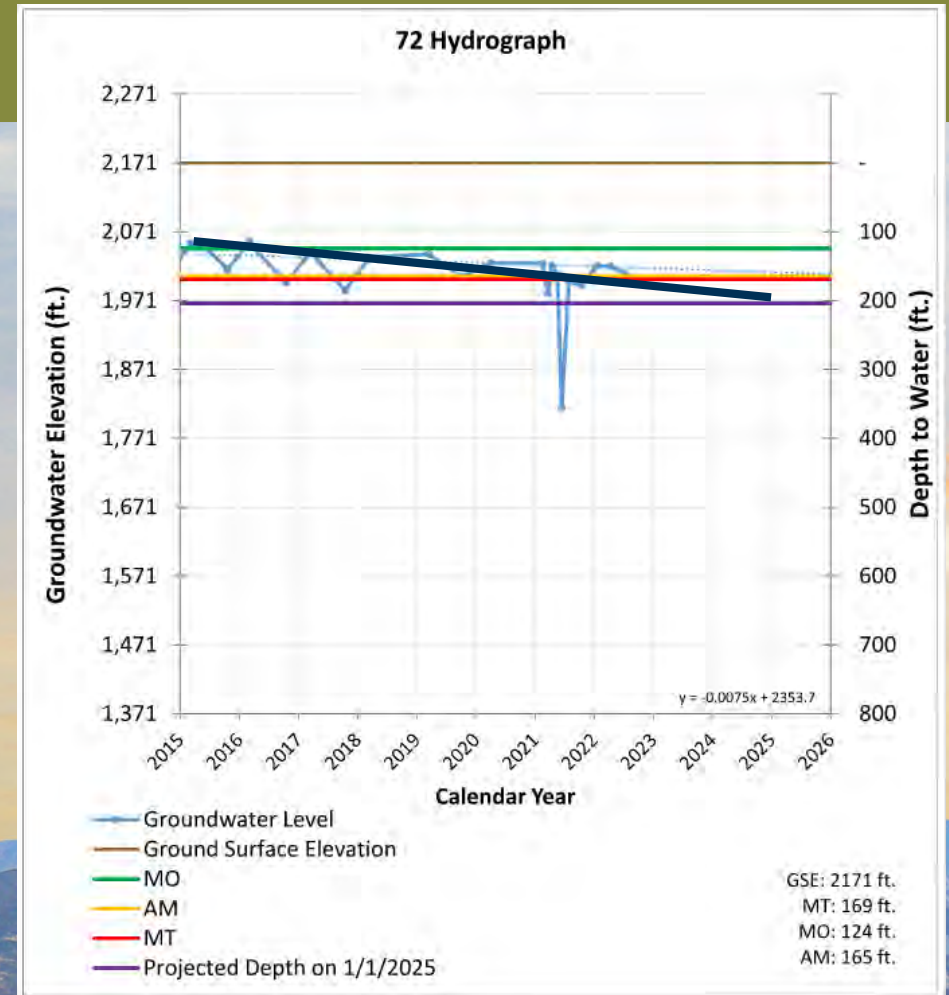
- No wells were found to be dry currently
- No wells would become dry if groundwater levels reached minimum threshold levels



# Recent Water Level Trends Analysis

Brian Van Lienden

- To supplement the modeling analysis described below, near-term water level trends analysis was performed on each representative monitoring well:
  - Developed a trendline reflecting average reduction in groundwater levels over time from 2015 through 2022
  - Extended this trendline to 2025 to estimate groundwater level relative to minimum thresholds
- Results are shown in tables below with the projected modeling results

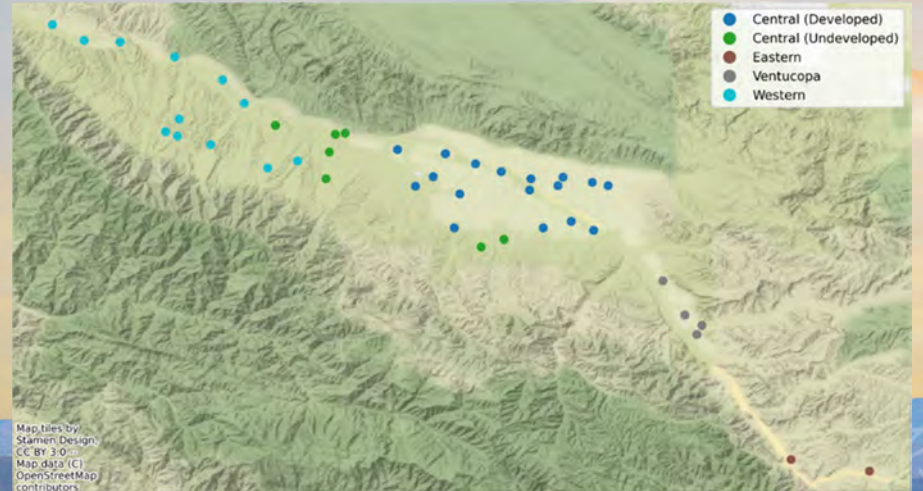


# CBWRM Analysis of Estimated Groundwater Conditions with GSP Pumping Reductions

- Groundwater pumping was reduced for irrigated acreage in the central developed area following the “glide path” specified in the GSP
  - The reduction is gradual, beginning in 2023, reaching the final reduction in 2038
  - The reduction was applied to all crop types within the central developed area
- Model estimated groundwater levels were compared to minimum thresholds at all representative wells in 2040 and 2070

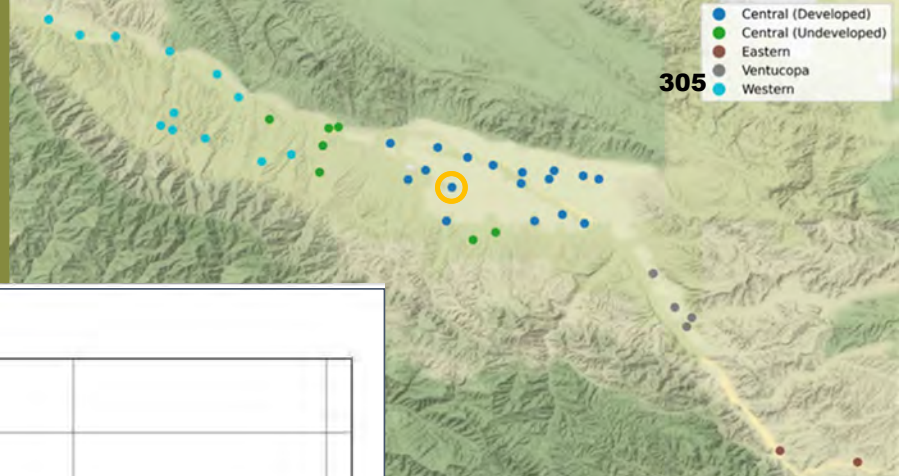


§7.3.2 Cuyama Basin Groundwater Sustainability Plan, Dec 2019





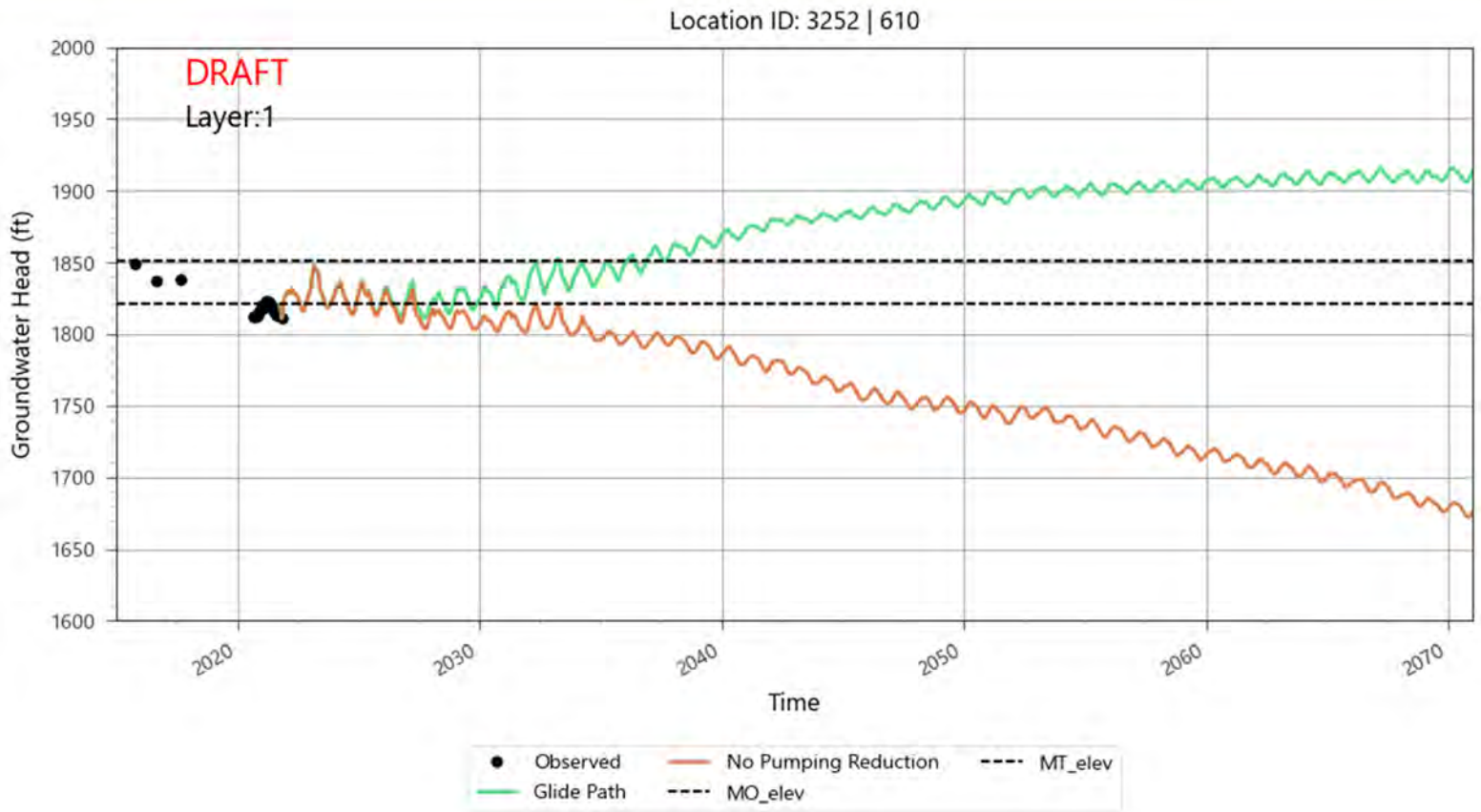
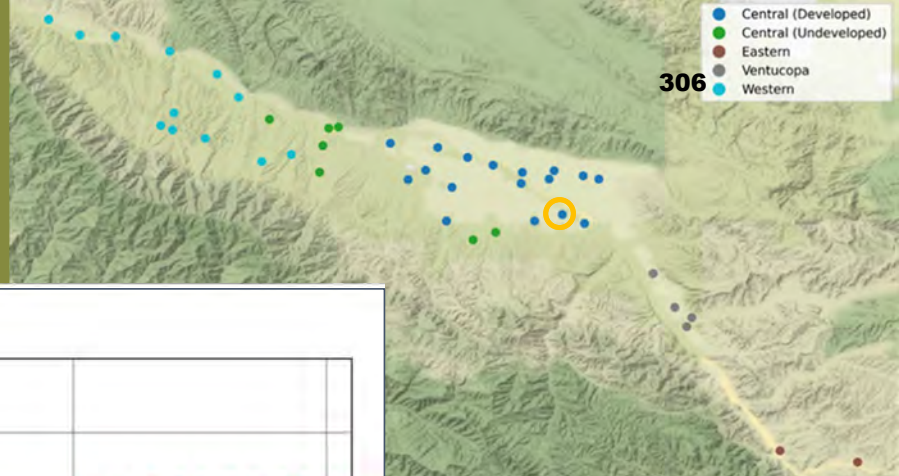
# Example Hydrograph: Central Management Area



Reduced Pumping elevates heads.  
Heads does not rise above MT before 2040.



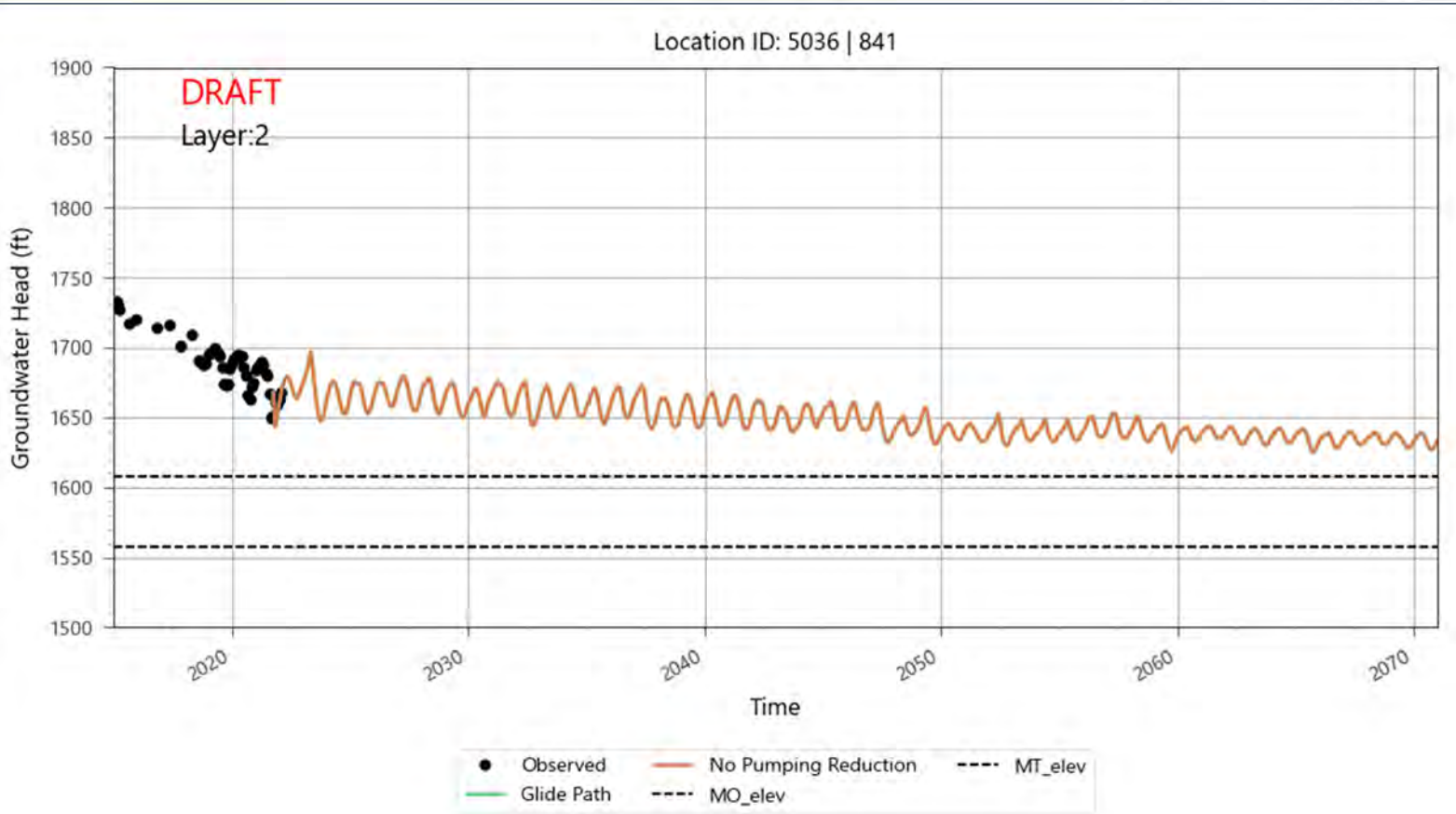
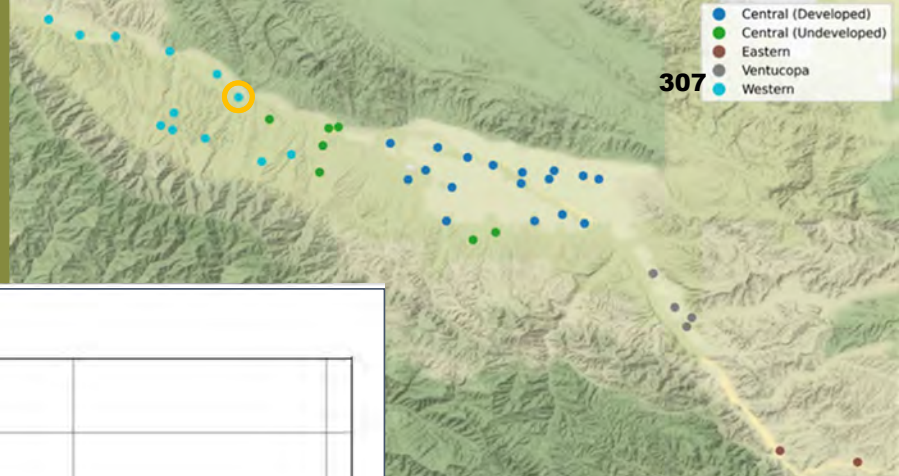
# Example Hydrograph: Central Management Area



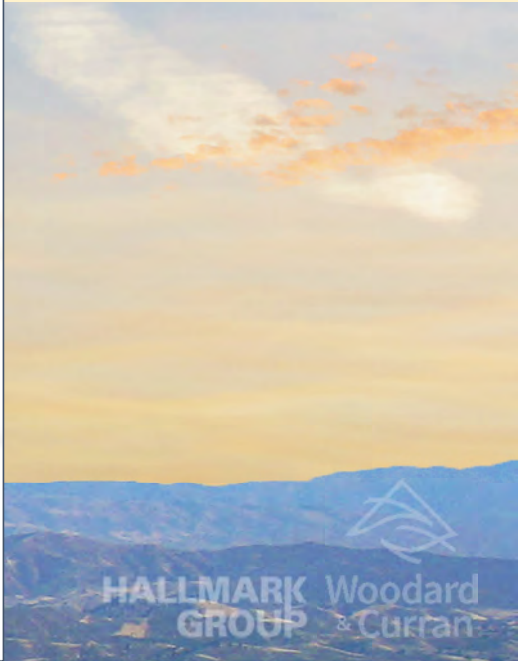
Reduced Pumping elevates heads.  
Heads rises above MT before 2040.



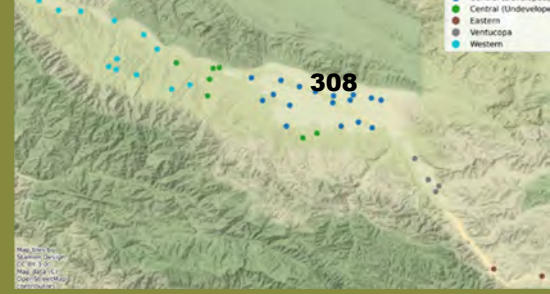
# Example Hydrograph: Outside Central Management Area



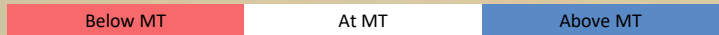
No difference between scenarios.



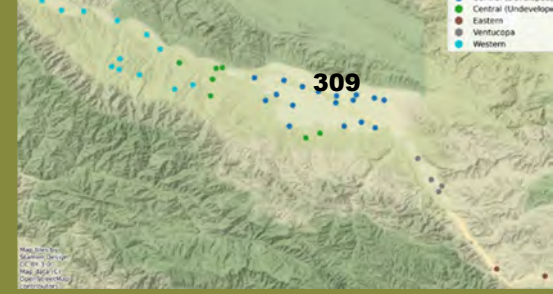
# Compare Simulated Heads to Minimum Threshold



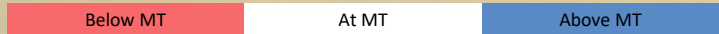
Head Relative to Minimum Threshold								
Area	Model Name	Opti ID	Most Recent Measurement	2025 Recent Trend Estimate	2040 Modeled Estimate		2070 Modeled Estimate	
					No Reduction	Pumping Reduction	No Reduction	Pumping Reduction
Western	3016	106	10 ft Above	10 ft Above	10 ft Above	10 ft Above	10 ft Above	10 ft Above
	5001	833	70 ft Above	60 ft Above	70 ft Above	70 ft Above	70 ft Above	70 ft Above
	5003	836	45 ft Above	40 ft Above	60 ft Above	60 ft Above	62 ft Above	60 ft Above
	5005	830	0 ft Above	0 ft Above	0 ft Above	0 ft Above	2 ft Below	0 ft Below
	5007	832	6 ft Above	0 ft Above	10 ft Above	10 ft Above	10 ft Above	10 ft Above
	5019	845	133 ft Above	120 ft Above	110 ft Above	110 ft Above	90 ft Above	90 ft Above
	5036	841	109 ft Above	90 ft Above	100 ft Above	100 ft Above	80 ft Above	80 ft Above
	5038	571	20 ft Above	20 ft Above	20 ft Above	20 ft Above	30 ft Above	30 ft Above
	5042	118	65 ft Above	70 ft Above	70 ft Above	70 ft Above	70 ft Above	70 ft Above
	5045	117	8 ft Above	0 ft Above	20 ft Above	20 ft Above	30 ft Above	30 ft Above
	5049	124	29 ft Above	20 ft Above	40 ft Above	40 ft Above	40 ft Above	40 ft Above
	5061	107	0 ft Above	0 ft Above	10 ft Below	10 ft Below	30 ft Below	30 ft Below



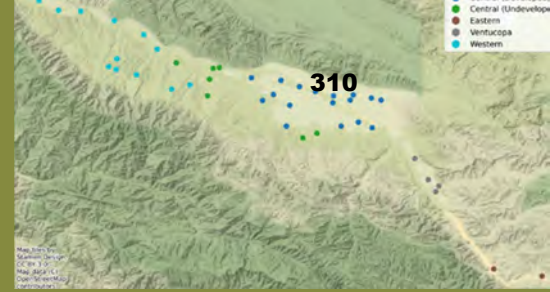
# Compare Simulated Heads to Minimum Threshold



Head Relative to Minimum Threshold									
Area	Model Name	Opti ID	Most Recent Measurement	2025 Recent Trend Estimate	2040 Modeled Estimate		2070 Modeled Estimate		
					No Reduction	Pumping Reduction	No Reduction	Pumping Reduction	
Central (Undeveloped)	3003	573	47 ft Above	50 ft Above	50 ft Above	50 ft Above	50 ft Above	50 ft Above	
	3007	568	2 ft Below	10 ft Below	10 ft Below	10 ft Below	20 ft Below	10 ft Below	
	3008	114	1 ft Above	0 ft Above	0 ft Above	0 ft Above	0 ft Above	0 ft Above	
	3017	112	2 ft Above	0 ft Above	10 ft Above	10 ft Above	10 ft Above	10 ft Above	
	3072	474	24 ft Above	40 ft Above	10 ft Above	10 ft Above	0 ft Above	0 ft Above	
	3277	98	1 ft Above	0 ft Above	10 ft Above	0 ft Above	0 ft Above	0 ft Below	
	3282	96	0 ft Below	10 ft Below	0 ft Above	0 ft Below	0 ft Below	20 ft Below	



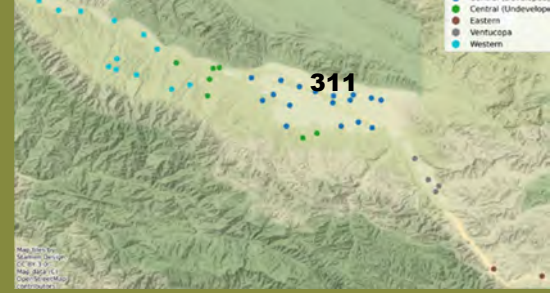
# Compare Simulated Heads to Minimum Threshold



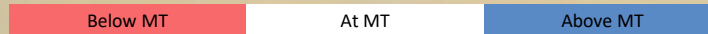
Area	Model Name	Opti ID	Head Relative to Minimum Threshold					
			Most Recent Measurement	2025 Recent Trend Estimate	2040 Modeled Estimate		2070 Modeled Estimate	
					No Reduction	Pumping Reduction	No Reduction	Pumping Reduction
Central (Developed)	2006	74	4 ft Above	20 ft Below	40 ft Below	40 ft Below	100 ft Below	70 ft Below
	3029	102	126 ft Below	170 ft Below	140 ft Below	100 ft Below	170 ft Below	80 ft Below
	3039	604	72 ft Above	70 ft Above	70 ft Above	170 ft Above	10 ft Below	230 ft Above
	3052	609	22 ft Above	70 ft Above	10 ft Below	130 ft Above	120 ft Below	160 ft Above
	3058	608	15 ft Below	10 ft Below	80 ft Below	20 ft Below	160 ft Below	0 ft Above
	3079	72	10 ft Below	30 ft Below	70 ft Below	70 ft Below	100 ft Below	100 ft Below
	3096	103	37 ft Below	20 ft Below	80 ft Below	60 ft Below	130 ft Below	60 ft Below
	3145	421	60 ft Below	80 ft Below	80 ft Below	50 ft Below	90 ft Below	30 ft Below
	3146	420	59 ft Below	80 ft Below	80 ft Below	50 ft Below	110 ft Below	20 ft Below
	3147	77	41 ft Below	70 ft Below	150 ft Below	20 ft Above	330 ft Below	120 ft Above
	3150	612	11 ft Above	10 ft Below	70 ft Below	0 ft Below	200 ft Below	40 ft Above
	3160	613	11 ft Below	40 ft Below	40 ft Below	20 ft Below	60 ft Below	10 ft Below
	3166	615	8 ft Below	40 ft Below	90 ft Below	40 ft Below	210 ft Below	0 ft Below
	3186	633	27 ft Below	40 ft Below	90 ft Below	20 ft Below	220 ft Below	10 ft Above
	3201	629	11 ft Below	10 ft Below	70 ft Below	10 ft Below	200 ft Below	10 ft Above
	3217	325	14 ft Below	10 ft Below	20 ft Below	0 ft Above	40 ft Below	10 ft Above
	3218	324	37 ft Below	10 ft Below	50 ft Below	20 ft Below	60 ft Below	10 ft Below
	3219	322	49 ft Below	20 ft Below	50 ft Below	0 ft Below	60 ft Below	0 ft Above
	3220	99	19 ft Below	20 ft Below	10 ft Below	70 ft Above	20 ft Below	70 ft Above
	3236	95	31 ft Below	50 ft Below	80 ft Below	70 ft Below	130 ft Below	90 ft Below
	3252	610	4 ft Above	30 ft Below	40 ft Below	50 ft Above	150 ft Below	80 ft Above
	3260	317	41 ft Below	60 ft Below	80 ft Below	40 ft Below	150 ft Below	20 ft Below
	3261	316	41 ft Below	60 ft Below	80 ft Below	40 ft Below	160 ft Below	20 ft Below
3262	91	39 ft Below	60 ft Below	80 ft Below	40 ft Below	170 ft Below	20 ft Below	

Below MT      At MT      Above MT

# Compare Simulated Heads to Minimum Threshold

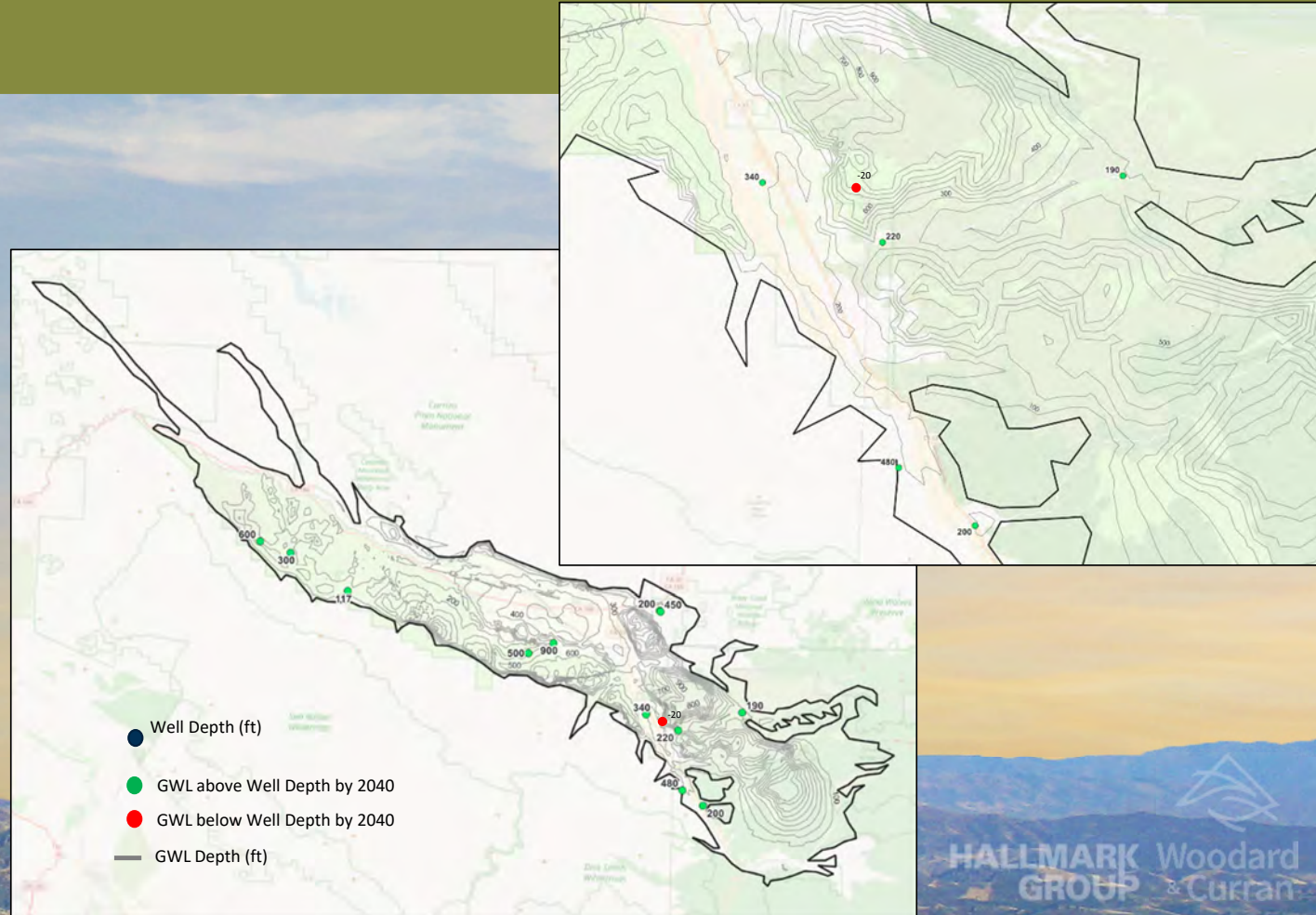


Head Relative to Minimum Threshold									
Area	Model Name	Opti ID	Most Recent Measurement	2025 Recent Trend Estimate	2040 Modeled Estimate		2070 Modeled Estimate		
					No Reduction	Pumping Reduction	No Reduction	Pumping Reduction	
Eastern	3306	101	2 ft Above	10 ft Below	20 ft Below	20 ft Below	30 ft Below	30 ft Below	
	3325	62	26 ft Above	20 ft Above	10 ft Below	10 ft Below	10 ft Below	10 ft Below	
	3338	85	32 ft Above	30 ft Above	30 ft Below	40 ft Below	100 ft Below	110 ft Below	
	3344	100	29 ft Above	30 ft Above	10 ft Above	10 ft Above	10 ft Above	10 ft Above	
South eastern	4027	89	30 ft Above	40 ft Above	40 ft Above	40 ft Above	40 ft Above	40 ft Above	
	4057	2	41 ft Above	70 ft Above	70 ft Above	70 ft Above	60 ft Above	60 ft Above	



# Modeled Assessment of Residential/Domestic Wells

- 1 out of 13 wells projected to be dry in 2040
- Evaluation included active residential/domestic wells from well survey





Brian Van Lienden

- Takeaways from technical analysis:
  - Modeling analysis estimates that the GSP pumping reductions will improve groundwater levels relative to baseline pumping levels but that many wells will still be below minimum threshold in 2040
  - Consistent with previous GSP analysis, there are only minor projected impacts to residential/domestic well users

# Next Steps

Jim Beck

- Staff is seeking SAC/Board feedback on whether it would like to continue the process of potentially adjusting either the CMA MTs, undesirable results criteria, or a combination of both
- If the answer is yes, staff will propose options adjusting MTs in the CMA and undesirable results criteria to ensure the GSA does not experience undesirable results for the next two years until this issue can be addressed more completely during the major 2025 GSP update
- Currently, undesirable results for groundwater levels are expected to be experienced in June 2023



TO: Board of Directors  
Agenda Item No. 14

FROM: Jim Beck / Joe Hughes

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on Strategy for Managing Pumping throughout the Basin

**Recommended Motion**

Board feedback requested.

**Discussion**

On September 7, 2022, the Cuyama Basin Groundwater Sustainability Agency directed staff to develop a strategy for managing pumping throughout the Basin. Draft options are provided as Attachment 1 for Board review and feedback.

Cuyama Basin Groundwater Sustainability Agency

# 14. Discussion and Appropriate Action on Strategy for Managing Pumping throughout the Basin

Jim Beck / Joe Hughes

November 2, 2022



# Background

- On May 4, 2022, the Board directed staff to begin discussions with an ad hoc to address the below two water management topics:
  1. Increased water use outside the Central Management Area
  2. Water market/trading discussions
- On September 7, 2022, the Board directed staff to develop a strategy with options to address increase water use outside the Central Management Area to be reviewed at the November 2, 2022, Board meeting

# Is There a Concern With Increased Water Use Outside the Central Management Area – What Does the GSP Say?

- **Executive Summary (pg ES-1)** “Although current analysis indicates groundwater pumping reductions on the order of 50 to 67 percent may be required Basin-wide to achieve sustainability, additional efforts are required to confirm the amount and location of pumping reductions required to achieve sustainability. These efforts include collecting additional data and a review of the Basin’s groundwater model, along with other efforts as outlined in this document.”
- Pumping reductions outside the CMA were contemplated but not mandated under the current version of the GSP

# Options to Address Increase Water Use Outside the Central Management Area

OPTIONS	NOTES	PROS	CONS
1 Do nothing (at this time)	No GSP amendment required	Lower cost, if overdraft is not significant outside the CMA	May not achieve basin-wide sustainability; incentivize development outside the CMA
2 Do something	Now or later?		
a Create multiple Management Areas	GSP amendment required (new MA criteria to be developed)	Better representation for local conditions	Boundary issues remain; administration of multiple MAs = multiple methodologies
b Create one (1) new MA that's everything outside the CMA	GSP amendment required (new MA criteria to be developed)	Everyone in an overdrafted portion of the basin is treated similarly	Boundary issues remain; administration of two different MA = two different methodologies
c Eliminate all MAs and manage basin as a whole	GSP amendment	Consistent with basin boundary and ease of administration (everyone treated the same)	May not reflect local groundwater conditions within the basin

# Options to Address Increase Water Use Outside the Central Management Area

320

- Board feedback requested





TO: Board of Directors  
Agenda Item No. 15

FROM: Jim Beck / Brian Van Lienden

DATE: November 2, 2022

SUBJECT: Discussion and Appropriate Action on Strategy for Continuing Evaluation of Basin Faults

**Recommended Motion**

Board feedback requested.

**Discussion**

On September 7, 2022, the Cuyama Basin Groundwater Sustainability Agency directed staff to develop a strategy for continuing an evaluation of the basin faults which is provided as Attachment 1.

Cuyama Basin Groundwater Sustainability Agency

# 15. Discussion and Appropriate Action on Strategy for Continuing Evaluation of Basin Faults

Jim Beck / Brian Van Lienden

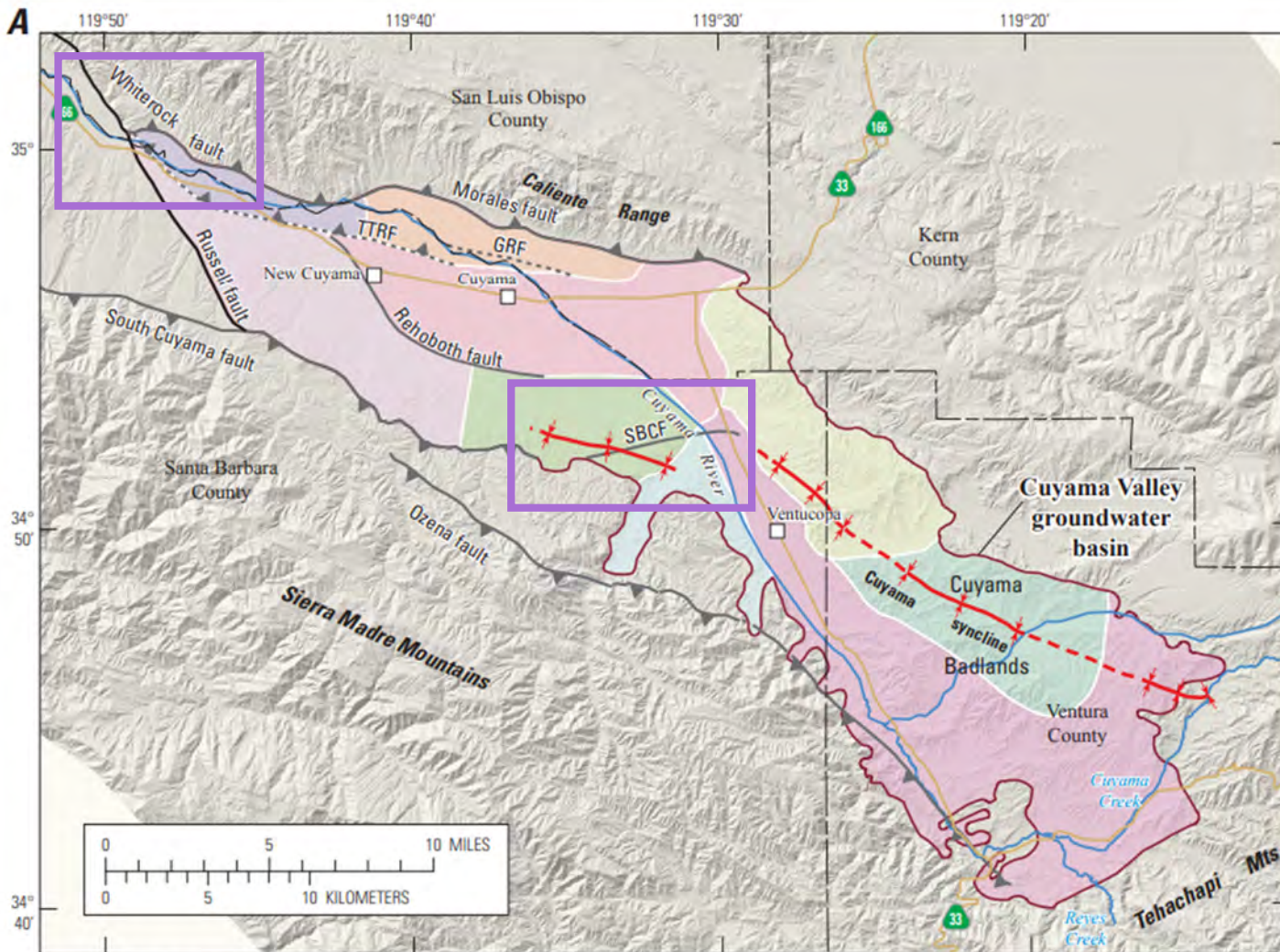
November 2, 2022



# Proposed Strategy for a Groundwater-Fault Interaction Investigation

323

- Objective
  - Evaluate groundwater flow impacts by the Russell and Santa Barbara Canyon (SBC) Faults
- Proposed investigation components
  - Evaluate available groundwater data in investigation areas
  - AEM data interpretation
  - Surface geophysical surveys (ER and IP)
  - Construction of new groundwater pumping and observation wells
  - Groundwater sampling and geochemistry analysis
  - Aquifer pumping tests
  - Groundwater flow calculations and modelling
- Proposed approach was reviewed by Technical Forum on October 18



Shaded relief base created from 30-m digital elevation model from USGS National Elevation Dataset (NED); North America Vertical Datum 1983 (NAVD83). Hydrology sourced from 1:24,000-scale National Hydrography Dataset, 1974-2009. Place names sourced from USGS Geographic Names Information System, 1974-2009. Albers Projection, NAD83.

Groundwater hydrologic subregions and related geologic structures, <sup>324</sup> simplified Cuyama major groundwater regions; and C, groups of landscape water-balance subregions for 1943–2010 in Cuyama Valley, California (USGS, 2015)

**Cuyama groundwater basin subregions (table 1)**

- Caliente/Northern-Main (CNMZ)
- Central Sierra Madre Foothills (CSMFH)
- Northeast Ventucopa Uplands (NEVU)
- Northwestern Sierra Madre Foothills (NSMFH)
- Northern Ventucopa Uplands (NVU)
- Southern Sierra Madre Foothills (SSMFH)
- Southern Ventucopa Uplands (SVU)
- Southern-Main (SMZ)
- Western-Main (WMZ)

See table 1 for subregion designation

- Normal fault
- Thrust fault
- Thrust fault, concealed
- Syncline
- Syncline, concealed
- GRF, Graveyard fault;
- SBCF, Santa Barbara Canyon fault;
- TTRF, Turkey Trap Ridge fault

# Draft Cost Estimate

Task	Estimated Cost
Evaluate available groundwater data & AEM interpretation	\$25,000
Perform geophysical survey at two faults	\$330,000
Groundwater sampling and geochemical analysis	\$10,000
Well construction to support aquifer testing (assume one new pumping well and two new observation wells needed for each fault)	\$1,400,000
Perform aquifer test and well development at two faults	\$120,000
Groundwater flow and data analysis, including modeling	\$100,000
<b>Total</b>	<b>\$1,985,000</b>

# Board Direction on Next Steps

- What next steps would the Board like staff to take?



TO: Board of Directors  
Agenda Item No. 16

FROM: Brian Van Lienden, Woodard & Curran

DATE: November 2, 2022

SUBJECT: Authorize Development and Submittal of an Application for DWR Grant Round 2  
Funding Opportunity

**Recommended Motion**

Board feedback requested on development and submittal of a DWR grant Round 2 application.

**Discussion**

A presentation summarizing a current grant funding opportunity is provided as Attachment 1.

The Cuyama Basin GSA has budgeted \$40,000 to develop a grant application during the current Fiscal Year 2022-2023 and is seeking feedback on whether to submit an application for this California Department of Water Resources SGMA Round 2 competitive grant funding opportunity.

Cuyama Basin Groundwater Sustainability Agency

16. Authorize Development and Submittal of an Application for  
a DWR Grant Round 2 Funding Opportunity

Brian Van Lienden

November 2, 2022





# Sustainable Groundwater Management (SGM) Grant Program – Implementation, Round 2

329

- Over \$200 million is available
- All high and medium priority subbasins are eligible to apply
- Eligible projects
  - Must be consistent with the goals of the GSP
  - Projects and planning activities related to implementation (\$171 million)
    - Revisions, updates, and/or modifications of a GSP
    - Capital improvement of activities as listed within the GSP
  - Additional activities
    - Geophysical investigations of groundwater basins **to identify recharge potential** (Aerial Electromagnetic (AEM) surveys);
    - Early implementation of existing regional **flood management plans that incorporate groundwater recharge** (e.g., recharge basins incorporating flood or stormwater); or
    - Projects that would complement efforts of a local GSP, that provide for **floodplain expansion to benefit groundwater recharge or habitat** (e.g., a recharge basin adjacent to a waterbody using peak flows for groundwater recharge).

# Timeline

Milestone/Activity	Schedule
Solicitation announcement by DWR	October 4, 2022
Application workshop	October 20, 2022
<b>Application due</b>	<b>November 30, 2022</b>
Draft award list posted for public review	May 2023
Final Award list posted	August 2023
Execute agreements	September – November 2023

# Key Considerations

- This is a **competitive** grant – unlike Round 1 which was non-competitive – difficult to assess how competitive it will be
- 176 participants attended the October 20 workshop, indicating a high level of interest
- Conjunctive uses around groundwater recharge with surface water, stormwater, recycled water are likely to be prioritized
- Priority will be given to applicants who have not previously received SGMA Implementation funding

# Potential Grant Funded Activities

Proposed Component	Cost Estimate
1. Perform Investigation of Flow Conditions around Santa Barbara Canyon and Russell Faults (see task/cost breakdown in previous presentation)	\$2,000,000
2. Data and Model Improvements to Enhance Basin Understanding <ul style="list-style-type: none"> <li>- Install additional multi-completion wells (assume 2)</li> <li>- Processing and digitization of well completion reports, stakeholder provided data, and WellSTAR data</li> <li>- Incorporation of data into RockWater and Data Management System</li> <li>- Perform stream channel survey of entire Cuyama River channel using LiDAR</li> <li>- Develop hydraulic (streamflow/flood) model to improve understanding of Cuyama River hydraulics</li> <li>- Cuyama Basin model update and recalibration to incorporate newly developed data</li> <li>- Develop monthly timestep model to reduce model runtime and allow faster scenario simulation</li> <li>- Data Management System enhancements</li> </ul>	\$1,250,000
3. Grant Administration	\$350,000
<b>Total</b>	<b>\$3,600,000</b>

# Board Direction

- Does the Board authorize staff to submit a proposal for this grant opportunity?
  - Estimated cost: \$30,000-\$40,000
  - Due date: November 30, 2022



TO: Board of Directors  
Agenda Item No. 17

FROM: Taylor Blakslee, Hallmark Group

DATE: November 2, 2022

SUBJECT: Adopt Resolution No. 2022-11 Designating the CBGSA Board Chairperson as the Authorized Representative to File an Application and Execute an Agreement with the California Department of Water Resources for the SGMA Implementation Grant Round 2.

**Recommended Motion**

Adopt Resolution No. 2022-11 Designating the CBGSA Board Chairperson as the Authorized Representative to File an Application and Execute an Agreement with the California Department of Water Resources for the SGMA Implementation Grant Round 2.

**Discussion**

Pending the CBGSA Director's decision to submit an application for the DWR SGMA implementation grant, a resolution designating an authorized representative to file an application and execute an agreement is a requirement of the grant and provided as Attachment 1 for consideration for approval.

RESOLUTION NO. 2022-11

Resolved by the Cuyama Basin Groundwater Sustainability Agency, that an application be made to the California Department of Water Resources to obtain a grant under the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Round 2 Grant pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68) (Pub. Resource Code, § 80000 et seq.) and the California Budget Act of 2021 (Stats. 2021, ch. 240, § 80) and to enter into an agreement to receive a grant for the projects in the Cuyama Basin grant application. The Cuyama Basin Groundwater Sustainability Agency Chairman, or designee, is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement and any future amendments (if required), submit invoices, and submit any reporting requirements with the California Department of Water Resources. Passed and adopted at a meeting of the Cuyama Basin Groundwater Sustainability Agency on November 2, 2022.

Authorized Original Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Clerk/Secretary: \_\_\_\_\_

**CERTIFICATION**

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Cuyama Basin Groundwater Sustainability Agency held on November 2, 2022.

Clerk/Secretary: \_\_\_\_\_



TO: Board of Directors  
Agenda Item No. 18a

FROM: Jim Beck, Executive Director

DATE: November 2, 2022

SUBJECT: Report of the Executive Director

### **Recommended Motion**

None – information only.

### **Discussion**

Progress and next steps for the Hallmark Group are provided as Attachment 1 for August and September 2022. An overview of consultant budget-to-actuals is provided as Attachment 2.

On January 21, 2022, the California Department of Water Resources (DWR) issued an “incomplete” determination for the Cuyama Basin Groundwater Sustainability Agency (CBGSA) Groundwater Sustainability Plan (GSP) and outlined several deficiencies and proposed corrective actions. The CBGSA amended and submitted a revised GSP to DWR by the July 20, 2022 regulatory deadline and DWR expects to provide a final GSP determination by late 2022/early 2023.

DWR held a 60-day public comment period following the resubmission of the amended GSPs (July 21, 2022 through September 19, 2022) and the following entities/individuals submitted comments which are provided as Attachment 3.

<b>No.</b>	<b>Submitted by</b>	<b>Entity</b>	<b>Comment Date</b>
1	Ngodoo Atume	Clean Water Action	7-6-22
2	Casey Walsh		9-19-22
3	Roberta Jaffe, Stephen Gliessman		9-19-22
4	Lynn Carlisle	Cuyama Valley Family Resource Center	9-19-22
5	Brenton Kelly		9-19-22
6	Sue Blackshear		9-19-22
7	Daniel T. Clifford	Bolthouse Land Company, LLC	9-19-22
8	Kasia Shebloski		9-19-22
9	Joli		9-19-22
10	Rachel Higgins		9-19-22
11	Lauren	Quail Springs	9-19-22
12	Haris Mesic		9-19-22
13	Aris Romero	Herbalist	9-19-22
14	Jessica Keller		9-19-22
15	Kayla		9-19-22
16	Anton Zyngier		9-18-22
17	Danielle Mingo		9-15-22





# Cuyama Basin Groundwater Sustainability Agency

## Progress & Next Steps

November 2, 2022

# August-September 2022 Accomplishments & Next Steps

## Accomplishments

- ✓ Prepared and facilitated ad hoc committee on Basin-Wide Water Management on August 18, 2022
- ✓ Prepared and facilitated ad hoc committee on New Well Permit Ad hoc on August 22, 2022
- ✓ Prepared and facilitated the Public Workshop on August 25, 2022
- ✓ Prepared and facilitated ad hoc committee on New Well Permit Ad hoc on August 29, 2022
- ✓ Prepared and facilitated Standing Advisory Committee (SAC) meeting on September 1, 2022
- ✓ Prepared and facilitated Cuyama Groundwater Sustainability Agency Board (Board) meeting on September 7, 2022
- ✓ Prepared and facilitated variance review ad hoc meeting on September 29, 2022
- ✓ Prepared United States Geological Survey (USGS) agreement and provided fully executed agreement to USGS
- ✓ Drafted Board minutes for Board meeting on September 7, 2022
- ✓ Drafted SAC minutes for SAC meeting on September 1, 2022
- ✓ Correspondence with Ben Glass regarding stream gauge agreement
- ✓ Completed LAFCO Survey
- ✓ Correspondence with landowners regarding variance request forms
- ✓ Correspondence with landowners regarding adjudication
- ✓ Develop well information survey
- ✓ Correspondence with landowners regarding quality assurance/quality check of potential unreported water use
- ✓ Prepared and sent Biennial Notice for Cuyama to Fair Political Practices Commission
- ✓ Prepared and attended meeting with Department of Water Resources (DWR) point of contact Anita Regmi
- ✓ Coordinated PRA request with Legal Counsel
- ✓ Correspondence with landowners regarding well information survey

## Next Steps

- Begin implementation of grant funded projects
- Identify potential non-reporting pumpers
- Finalize CMA policies
- Finalize well permit policies and forms
- Begin development of annual report



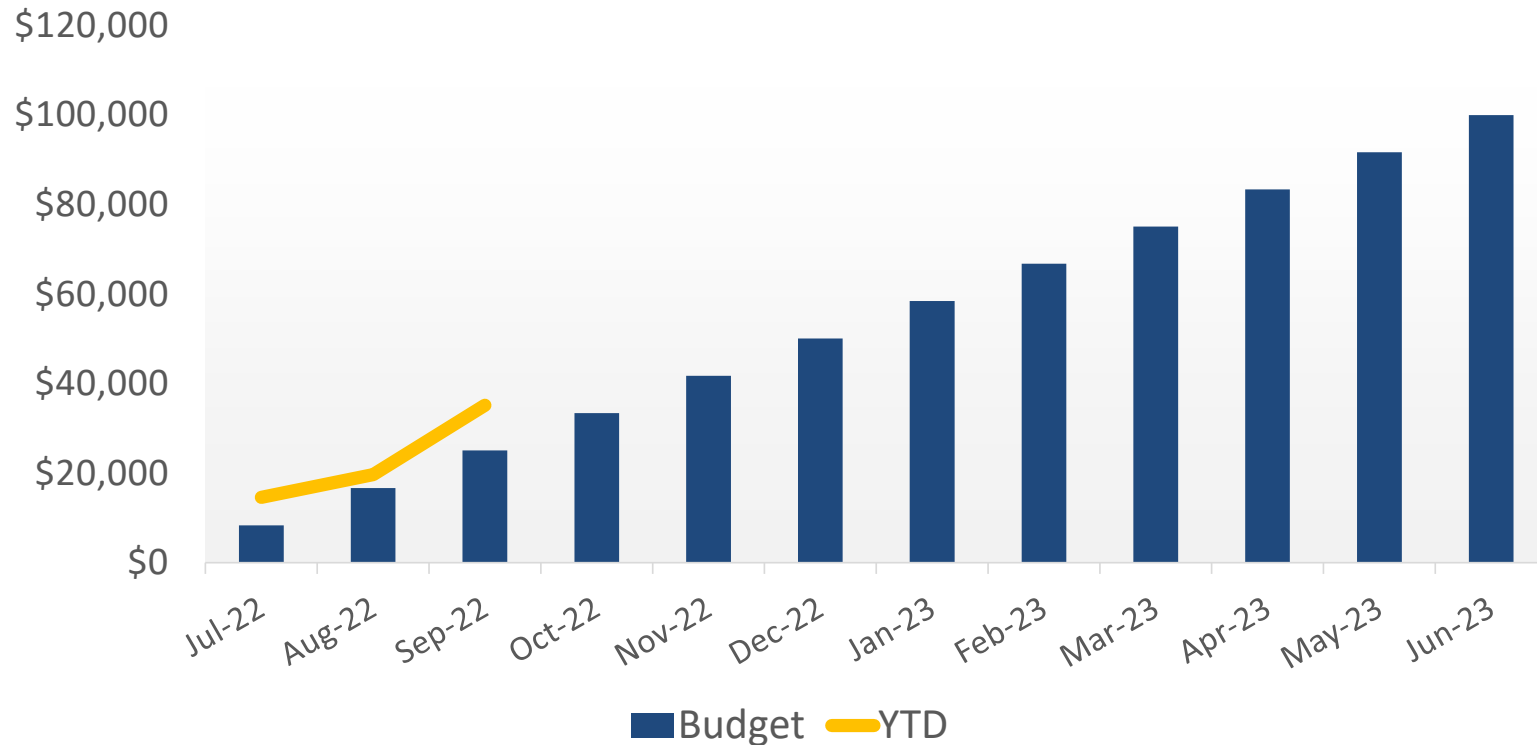
# Cuyama Basin Groundwater Sustainability Agency

## Financial Report

November 2, 2022

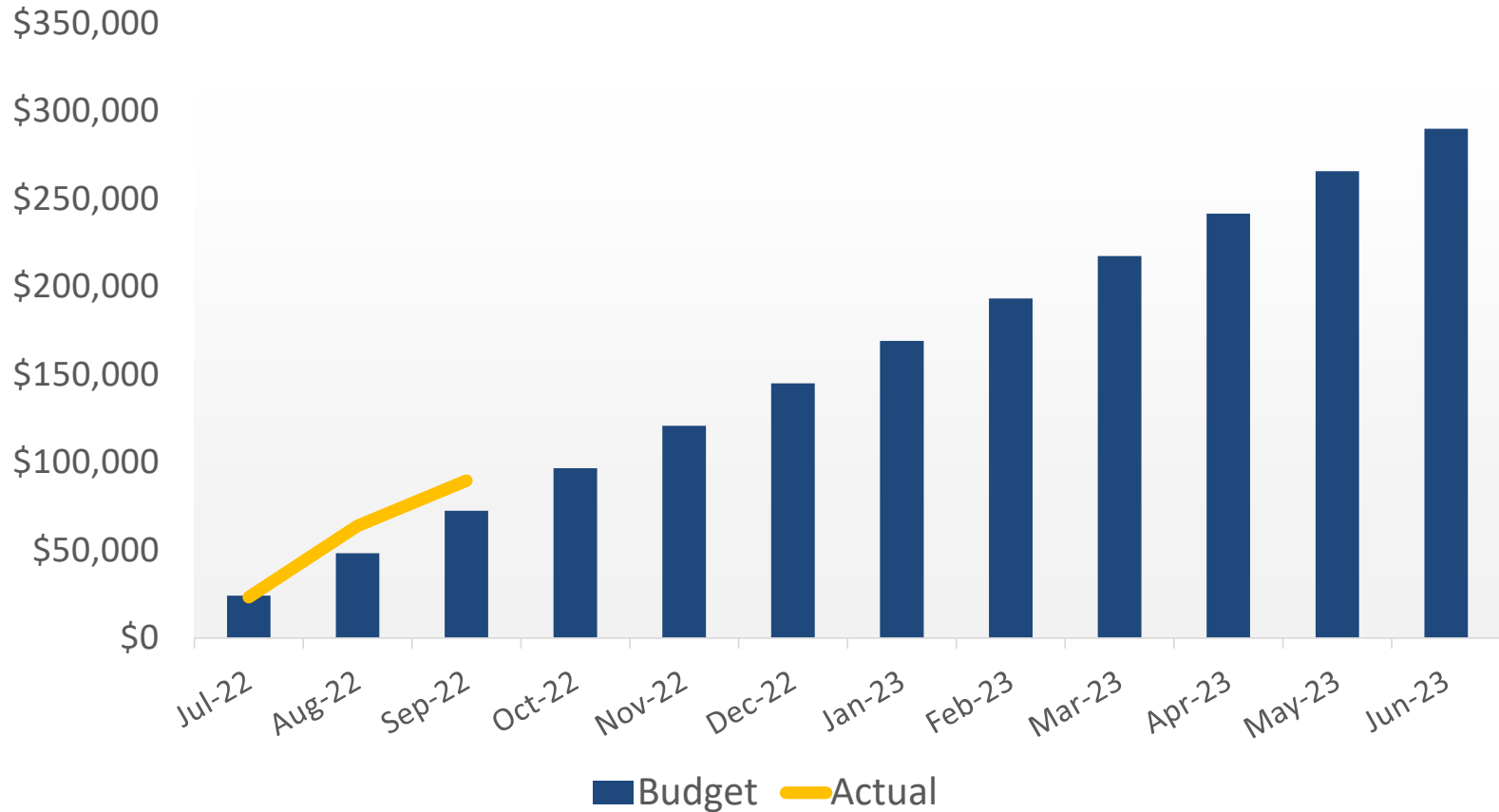
# Legal Counsel – Budget-to-Actuals

FY 22-23



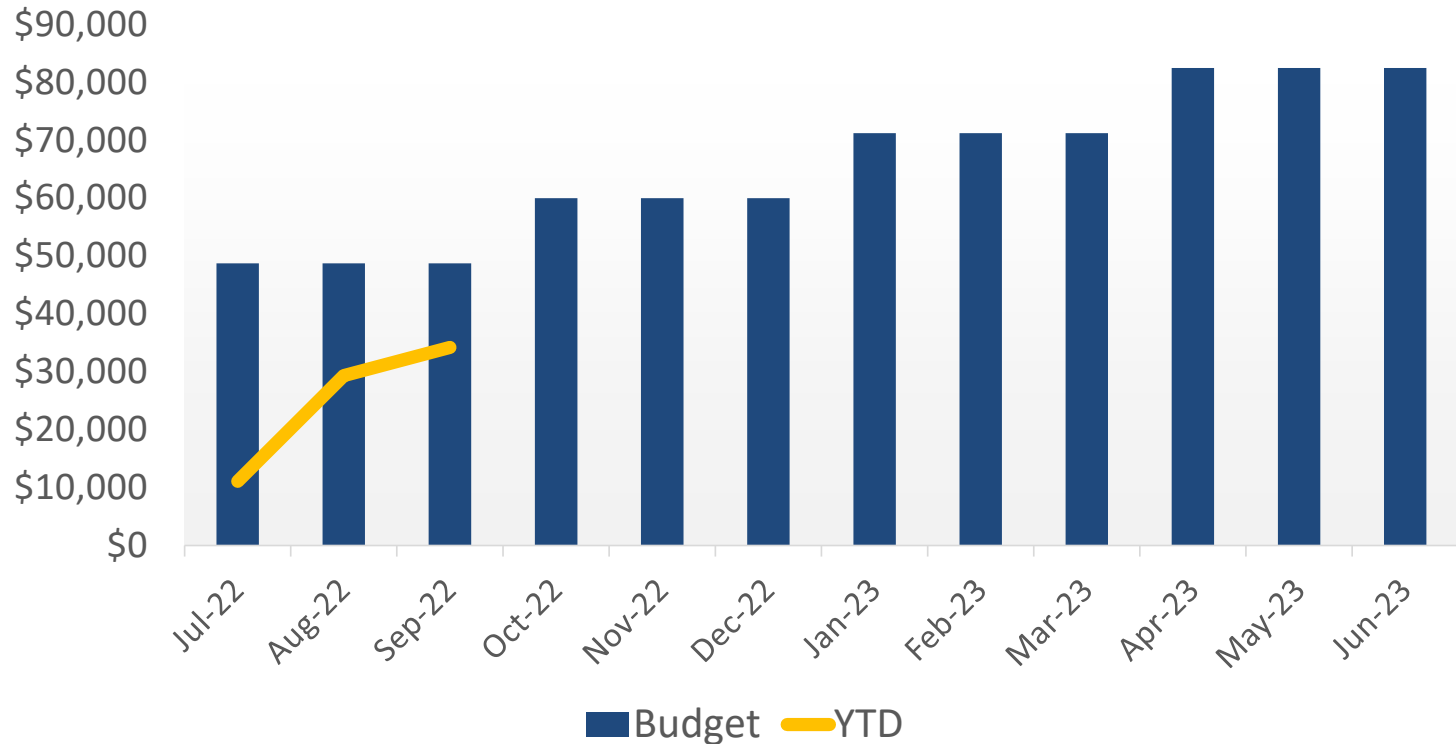
# Hallmark Group – Budget-to-Actuals

Task Order No. 8



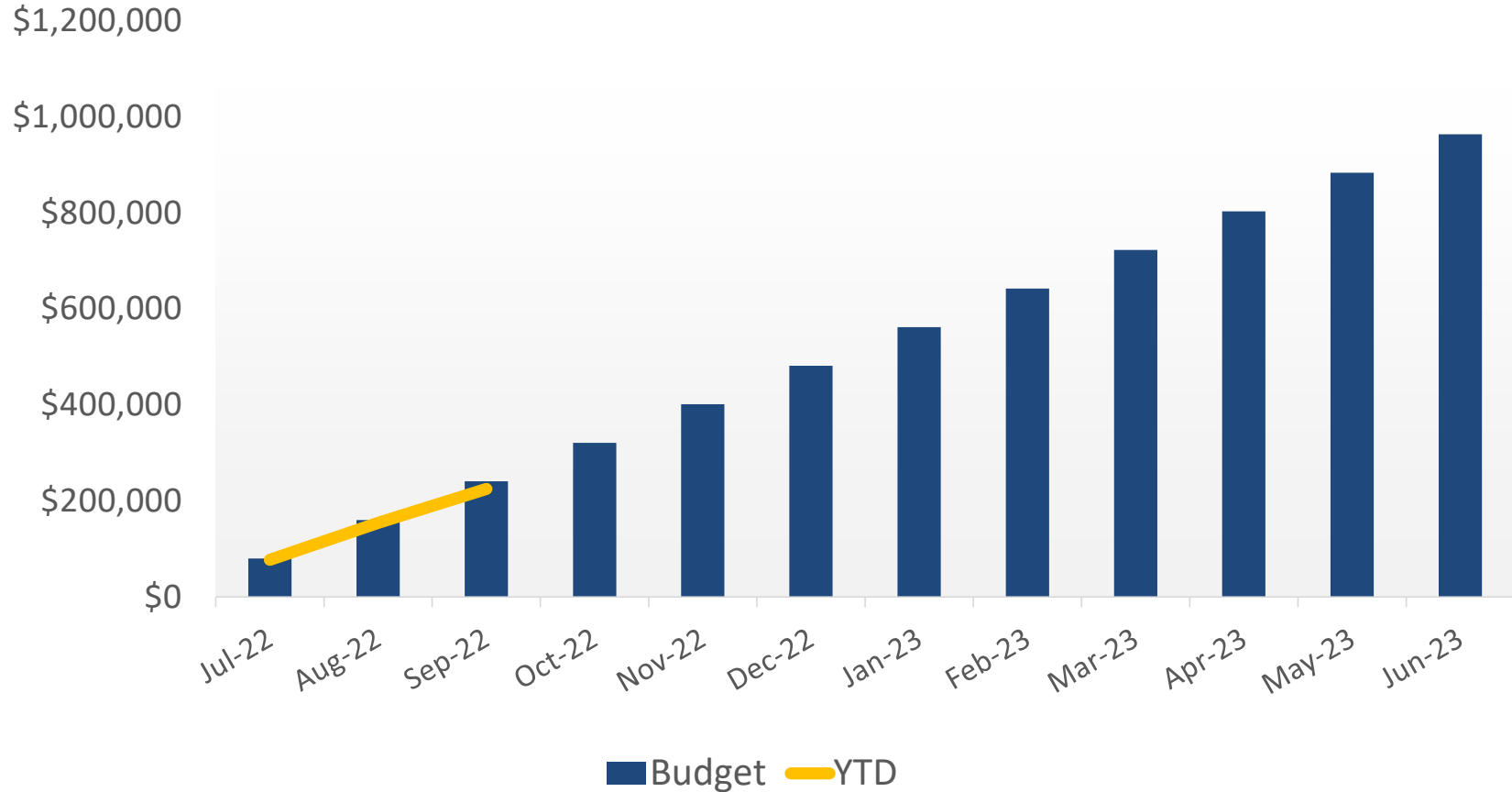
# Provost & Pritchard – Budget-to-Actuals

FY 22-23



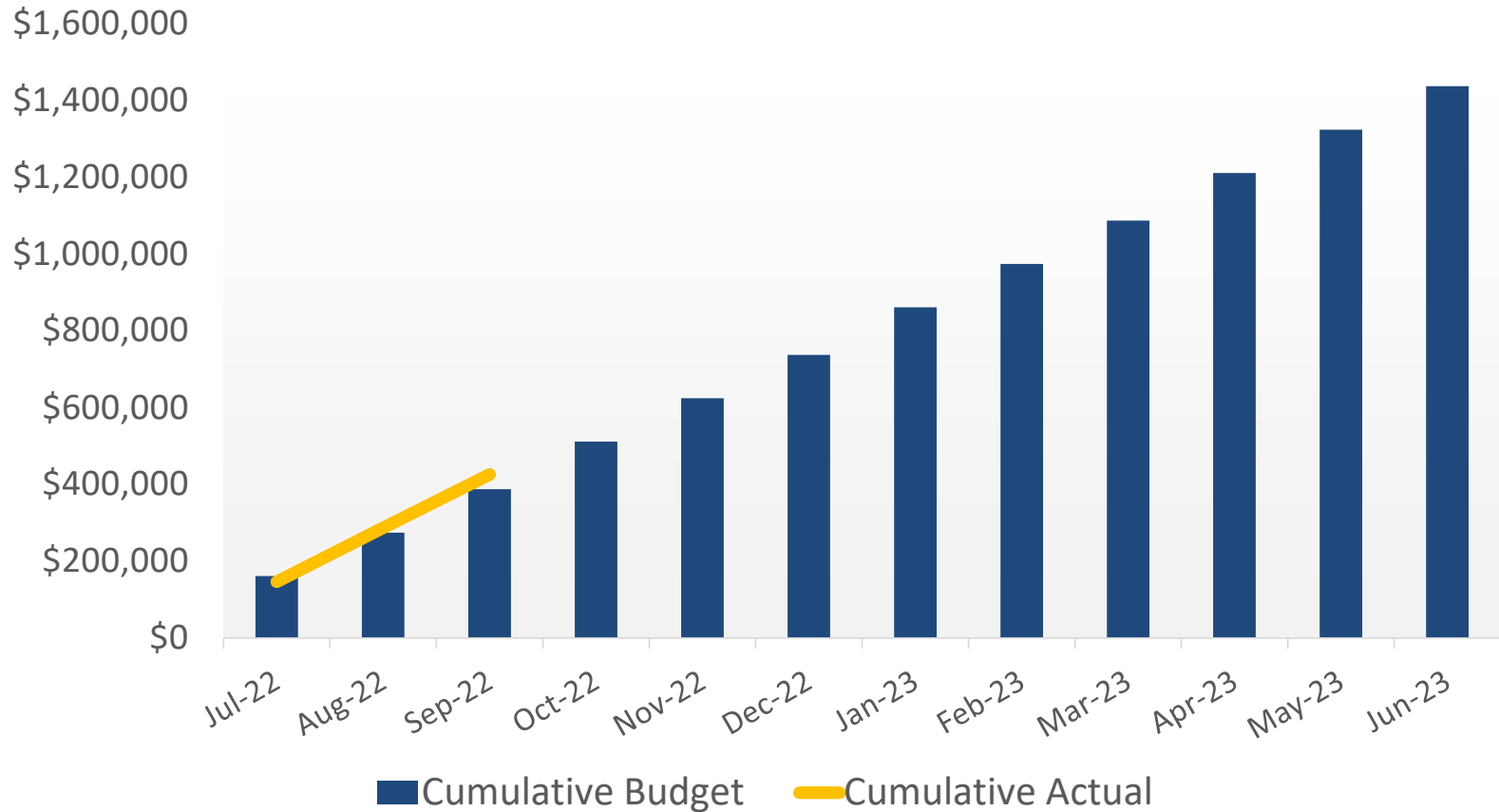
# Woodard & Curran – Budget-to-Actuals

Task Order No. 10

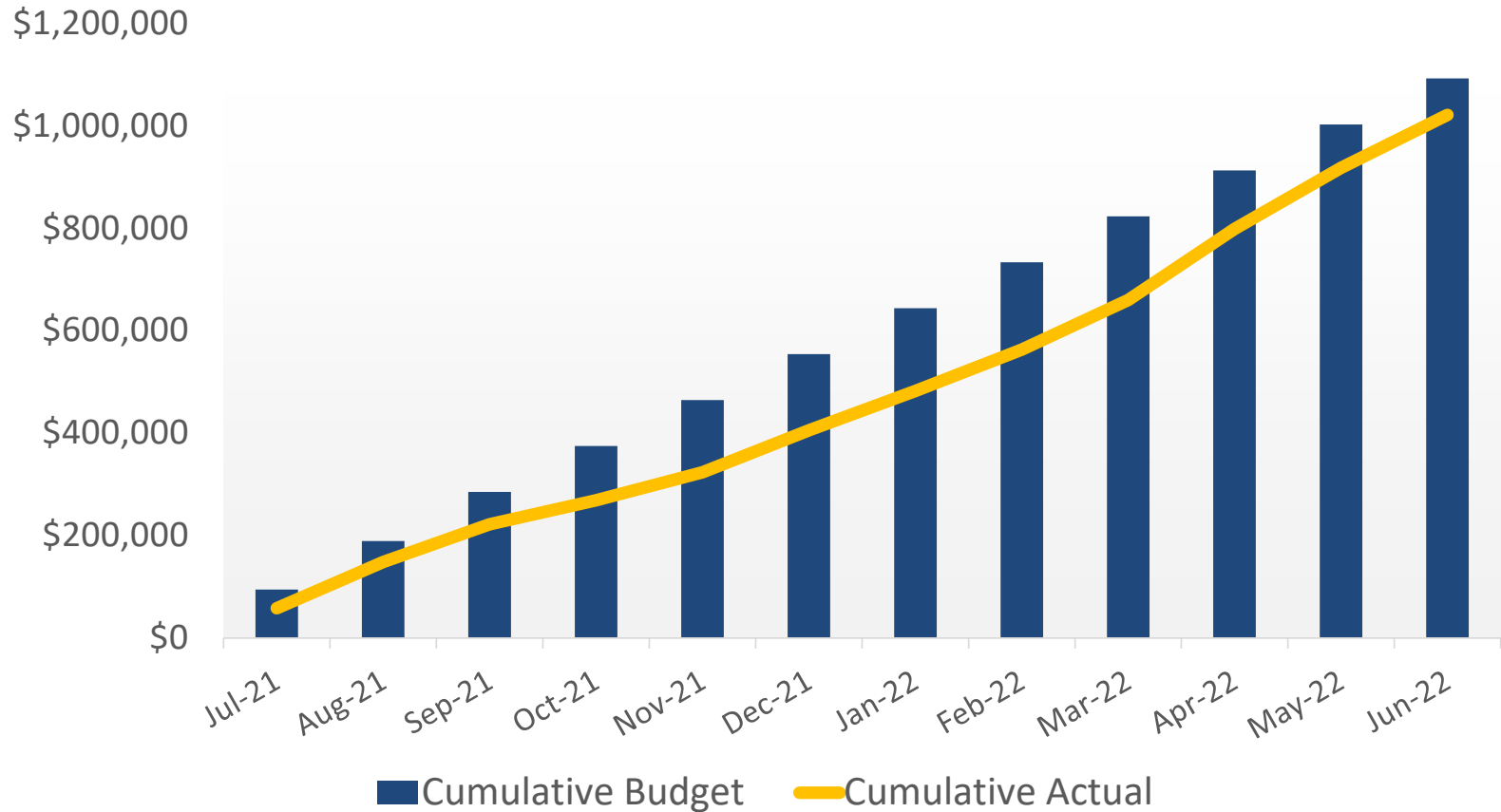




# CBGSA FY 22-23 – Budget-to-Actuals



# CBGSA FY 21-22 – Budget-to-Actuals



## Comment 1



## ENVIRONMENTAL LAW FOUNDATION

July 5, 2022

Paul Gosselin  
Deputy Director  
Sustainable Groundwater Management  
Department of Water Resources  
[Paul.Gosselin@water.ca.gov](mailto:Paul.Gosselin@water.ca.gov)

### GROUNDWATER SUSTAINABILITY AGENCYS' OBLIGATIONS FOR PUBLIC PARTICIPATION

Dear Deputy Director Gosselin:

The above signed organizations submit this letter to highlight the lack of meaningful public engagement by Groundwater Sustainability Agencies (GSAs) during the revision of Groundwater Sustainability Plans (GSPs) following an “incomplete” determination by the Department of Water Resources pursuant to the Sustainable Groundwater Management Act (SGMA) (Water Code § 10720 et seq.) and the regulations implementing SGMA (Cal Code Regs., tit. 23, § 350 et seq.). Our organizations were hopeful that the “incomplete” designation for so many GSPs would trigger a new awareness of the need for robust engagement. As explained below, we are discouraged by the efforts of many GSAs to date. The failure to meaningfully engage beneficial users of groundwater will, we fear, continue to impact the quality of the plans as they are developed to meet the requirements of SGMA.

Under SGMA, GSAs must “consider the interests of all beneficial uses and users of groundwater.” (Water Code § 10723.2). Additionally, GSAs must “encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the GSP.” (Water Code § 10727.8). Following an “incomplete” determination, the GSPs remain in the development phase. Therefore, the GSAs must continue to encourage the active involvement of groundwater beneficial users within the basin. SGMA’s requirements for a transparent and

inclusive process presents an opportunity to meaningfully include diverse communities in the decision-making process and create groundwater management plans that understand these communities' vulnerabilities and are sensitive to their interests.

Despite these clear obligations, many GSAs are not offering meaningful opportunities for active involvement by all groundwater beneficial users in the GSP revisions required by DWR. Most groundwater sustainability agencies have failed to make proposed revisions public or offer opportunities for the public to provide feedback during the revision process. Further, where revisions are made public prior to adoption, many GSAs do not provide the amended language in a readily accessible format for stakeholders to provide comments and feedback. The GSAs' failure to solicit public feedback as they address the deficiencies identified by DWR excludes many beneficial users from decision-making related to their groundwater resources. Therefore, the needs of diverse social, cultural, and economic elements of the population are not being heard, adequately accounted for, or addressed in the ultimate decisions made by the GSAs.

We therefore submit this letter to elevate our concerns that the GSAs are not adequately encouraging the active involvement of groundwater users within their basins as they revise their groundwater sustainability plans. Without these opportunities, the GSPs will fall short of fulfilling SGMA's promise of achieving just and sustainable allocation of groundwater resources. Moreover, the GSP development process will fail to have met SGMA's demands for meaningful public engagement. Recognizing that robust engagement and feedback is unlikely this late in the revision process, we ask that the Department of Water Resources require GSAs to publish revised plans before adoption. We also ask that revised chapters be provided in an accessible format with track changes or addendum that easily identifies changes. Finally, we ask that DWR require GSAs to identify in their submittal letters how beneficial groundwater users and interested parties have been engaged in the GSP revision process.

Thank you for considering our comments as you review the revised GSPs.

Sincerely,



Nataly Escobedo Garcia  
Water Policy Coordinator  
Leadership Counsel for Justice and  
Accountability



Kyle Jones  
Policy and Legal Director  
Community Water Center



Tom Collishaw  
President/CEO  
Self-Help Enterprises



Drevet Hunt  
Legal Director  
California Coastkeeper Alliance



Ngodoo Atume  
Water Policy Analyst  
Clean Water Action/Clean Water Fund



Brian Shobe  
Interim Policy Director  
California Climate & Agriculture Network



Roger Dickinson  
Policy Director  
CivicWell (formerly Local Government  
Commission)



Susan Harvey  
President  
North County Watch



Frank Toriello  
President  
We Advocate Thorough Environmental Review (W.A.T.E.R.)



Nathaniel Kane  
Executive Director  
Environmental Law Foundation  
Attorneys for California Sportfishing Protection Alliance

To:

Craig Altare  
Supervising Engineering Geologist  
California Department of Water Resources  
901 P Street, Room 213  
Sacramento, California 94236

CC:

Anita Regemi and Tim Ross  
California Department of Water Resources  
Southern Region  
Comment on the Cuyama Basin Groundwater Sustainability Plan:  
Inequality, Expertise and Deficiency in Engagement

From:

Dr. Casey Walsh  
Professor and Chair  
Department of Anthropology  
U.C. Santa Barbara  
Santa Barbara, CA. 93106-3210  
[cwalsh@ucsb.edu](mailto:cwalsh@ucsb.edu)

Public Comment: Cuyama Basin Groundwater Sustainability Plan, 2022

September 17, 2022

Thank you for the opportunity to comment on the revised Cuyama Basin Groundwater Sustainable Plan (GSP). My name is Casey Walsh and I am a social scientist working in the Anthropology Department at UC Santa Barbara. My research concerns groundwater use and management in arid and semi-arid areas,

such as northern Mexico and the southwest United States. Since 2013 I have been conducting fieldwork in the Cuyama Valley, and have participated in the SGMA process since the outset.

The revised GSP (GSA 2022) continues to suffer from the same failure of the original GSP (GSA 2020) to recognize the social and environmental realities of the basin. In SGMA, sustainability criteria are proxies for anticipated effects on real and varied human and environmental actors. Unfortunately, the GSP fails to identify those actors as well as the social or environmental effects it hoped to avoid by setting its measurable thresholds (MTs). The result is a GSP that is reduced to a “glidepath”: a calculation, over time, of how deep the water is, and by extension how costly – and profitable – it is to extract. While this sort of Plan may serve wealthy agricultural corporations, it fails to protect other residents and GDEs from the undesirable effects that managed depletion will have on them.

The GSP's blindness to the social and environmental reality of Cuyama results in a principal failure that the DWR identified in its "Determination" letter of January 21<sup>st</sup>, 2022: “The GSP does not discuss, or appear to address, the critical first step of identifying the specific significant and unreasonable effects that would constitute undesirable results (“Determination” p. 1). “Measurable Thresholds” (MTs) were set to manage the decline of groundwater, but these MTs were not designed to prevent any specified unacceptable harm to the lives and livelihoods of the residents and environmental features (beneficial uses) of the Basin.

Perhaps the most egregious example of this problem can be found in the MTs set for the Northwestern sub-basin, where the GSA accepted the argument of Cleath-Harris Inc., hired by that region’s principal pumper (North Fork/Brodiaea), that the MTs should be a proportion of “saturated thickness” of the water-bearing strata, rather than a proxy designed to protect the wells of local residents and the Cuyama River’s last interconnected surface-groundwaters and their GDEs. In fact, North Fork/Brodiaea's proposal to set MTs at 15% of saturated thickness (205 feet below surface) was based on only two criteria - “(1) avoiding infrastructure damage from land subsidence; and (2) ensuring adjacent pumpers have access to groundwater” (Cleath-Harris 2018, p. 2). These MTs do not consider other “undesirable effects” nor do they address the “chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply” or “groundwater-related surface water depletions that have significant and unreasonable adverse impacts on beneficial uses of surface water” (CBGSA 2019, p. 3-1).

As of 2021 these narrowly conceived MTs were already causing dramatic depletion that reduced groundwater storage and threatened other beneficial users. The hydrographs in Figure 1 (below) display the fall of groundwater levels in the North Fork/Brodiaea area. Measured from summer low point to summer low point to control for seasonal variance, the 5 wells display rates of depletion of 4, 9, 19, 21, and 27 feet a year, respectively; an average of 16 feet/year (See Figure 2 for well locations). Groundwater levels have plummeted correspondingly. For example, well #843 fell 85 feet between 11/15 and 10/19, and if pumping continues at the established rate groundwater levels will have fallen 150 feet by summer, 2021. Minimum thresholds, currently set at 205 ft. in the NW sub basin, will be exceeded within 8 years for 4 of the 5 wells measured (Figure 3). While the failure to meet sustainability criteria in the NW region is bad in itself, far worse are the real social and environmental effects this failure will generate, including the probable destruction of some of the Cuyama River's last GDEs.

A different, but related problem has emerged in the Main sub-basin, where unabated pumping over the 7 years since SGMA was passed has dropped groundwater levels below MTs. Presently almost 50% of the monitoring wells in the Basin show groundwater levels below their MTs and falling, which signals

that there will be probable noncompliance with the GSP by April of 2023 (GSA Packet 9-7-22, p. 149). Faced with the threat of noncompliance and state receivership, since June the GSA has discussed "moving the goalposts": lowering the MT's rather than reducing pumping. In this area of the Basin, the failure of the GSP to identify the social or environmental goals of sustainable groundwater management enables the GSA to employ the principle of "adaptive management" to change its sustainability criteria to obtain compliance with the Plan's "glidepath." The glidepath itself has become the sustainability goal.

The blindness to the residents and environment of Cuyama may be a result of the particular experience of the Main Basin, and the overwhelming influence on the GSA exerted by the growers who operate in that region. In the Main Basin most of the smaller farmers and all of the GDEs were displaced long ago by two larger corporate farming operations: Grimmway Farms and Bolthouse Farms. These businesses were instrumental in creating the Cuyama Basin Water District, which has direct influence through its representatives on the GSA Board of Directors (including Board President), and indirect influence through the County representatives who sit on the GSA Board. The geohydrologists they hire sit on the closed-door technical committee meetings; their lawyers have shaped the GSA itself (Ernest Conant, Grimmway's lawyer before moving to the Bureau of Reclamation, helped convene and create the Water District, and advised the formation of the GSA in its early days). The influence of these powerful actors has resulted in a GSP that only focuses on the cost and availability of groundwater to them, and does not consider the other beneficial uses in the Basin. Not satisfied with that accomplishment, the two companies sued their neighbors – including those in the Water District they created – to adjudicate their water allocations. As the DWR noted in its "Determination," this approach "precludes meaningful disclosure to, and participation by, interested parties and residents in the Basin" (p. 3). Worse yet, a number of Cuyama residents dedicated hundreds of hours of service as members of the Standing Advisory Committee to the GSA, only to see their suggestions and comments dismissed by the GSA and excluded from the GSP.

The revisions made to the GSP by the GSA fail to address the problems identified by DWR in its "Determination" of January 2022. Rather than identify human and environmental beneficial users, determine sustainability goals, and design MTs to protect them, the GSA continues to insist that it has fulfilled all the procedural requirements of GSP formation, and that the issues pointed to by DWR are the result of "insufficient data."

"In the Basin, the identification of URs [undesirable results] were developed through an extensive stakeholder driven process that included:

- Careful consideration of input from local stakeholders and landowners;
- A conceptualization of the hydrogeological conceptual model;
- An assessment of current and historical conditions and best available data; and
- Local knowledge and professional opinion.

The CBGSA recognizes the lack of reliable historical data and acknowledges the limitations and uncertainties it causes (see Data Gaps and Plan to Fill Data Gap subsections of Section 4 – Monitoring Networks and Section 8 – Implementation Plan for addressing those limitations). However, the reassessment of thresholds and UR statements will be a likely component of future GSP updates. These future revisions will utilize the detailed and reliable data collected by the GSA during the first five years of GSP implementation." (GSP Update 3-9)



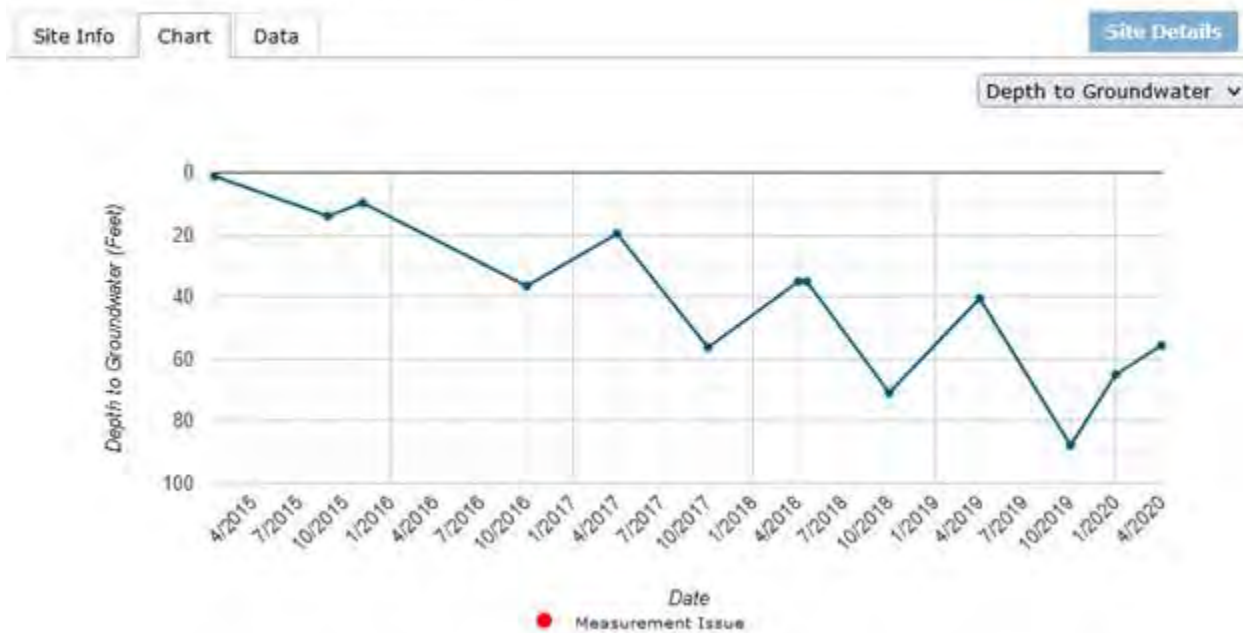
Central to this explanation is the idea that the GSA lacks sufficient data to act, and will not establish any sustainability goals until 2025 – 10 years after SGMA was passed. In the meantime, the most attractive option to the GSA is to adjust the MTs to suit the glidepath. The purported "lack of data" ignores the existence of numerous previous geohydrological studies conducted by the USGS (2015), among others, in addition to well logs, electricity bills, and so on. Moving forward, we will get a clearer picture of what data is really available as parties to the adjudication process in the Cuyama Basin submit records of their historical use of groundwater.

### Summary

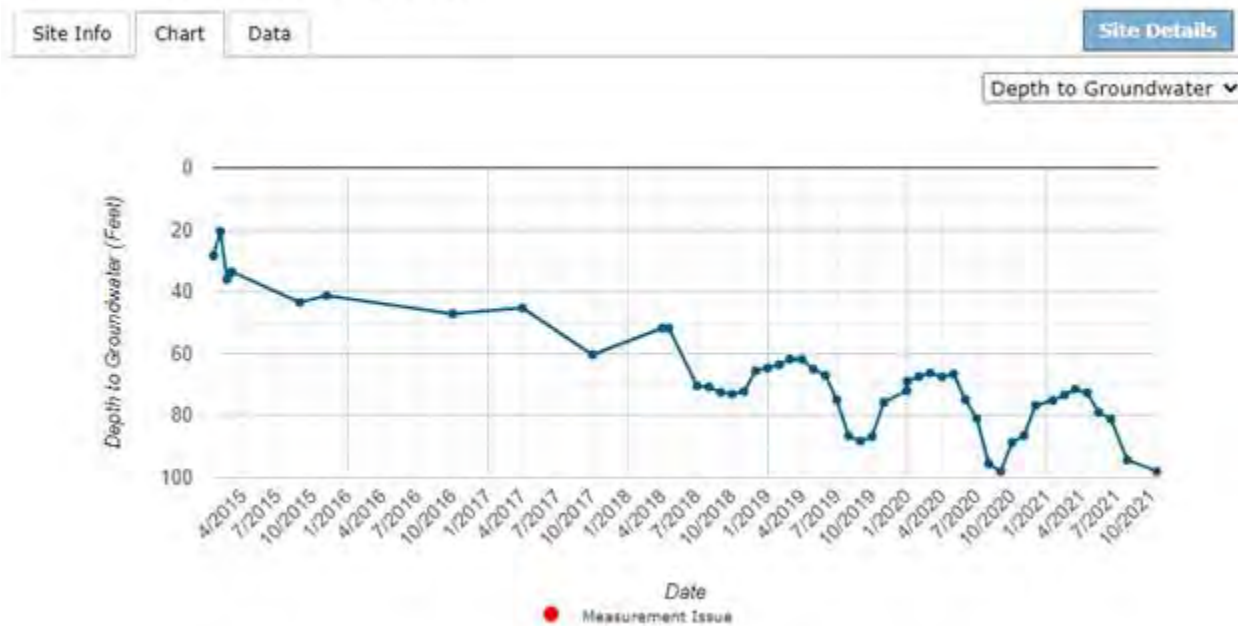
The 2022 Cuyama Basin GSP has not identified concrete social and environmental sustainability goals. This is due in part to an insensitivity of the GSA to the diversity of GDEs and other beneficial uses in the Basin, and the dismissal of the input provided by the Standing Advisory Committee over many years of sustained and dedicated participation. While the GSA claims it has made every required effort to "consider input from local stakeholders and landowners", at the same time it claims to not have enough data to identify sustainability goals and to take action. The failure to identify clear sustainability goals has facilitated efforts to reset the established MT's at a lower level in one area of the Basin, and in another, to set MT's so deep that human and environmental beneficial users will likely be damaged and destroyed long before any correction can be made. We have known about the causes and the social and environmental effects of groundwater depletion in Cuyama for decades. Unfortunately it seems we are still far from addressing them.

Figure 1: Hydrographs. Northwestern Sub-basin, Cuyama

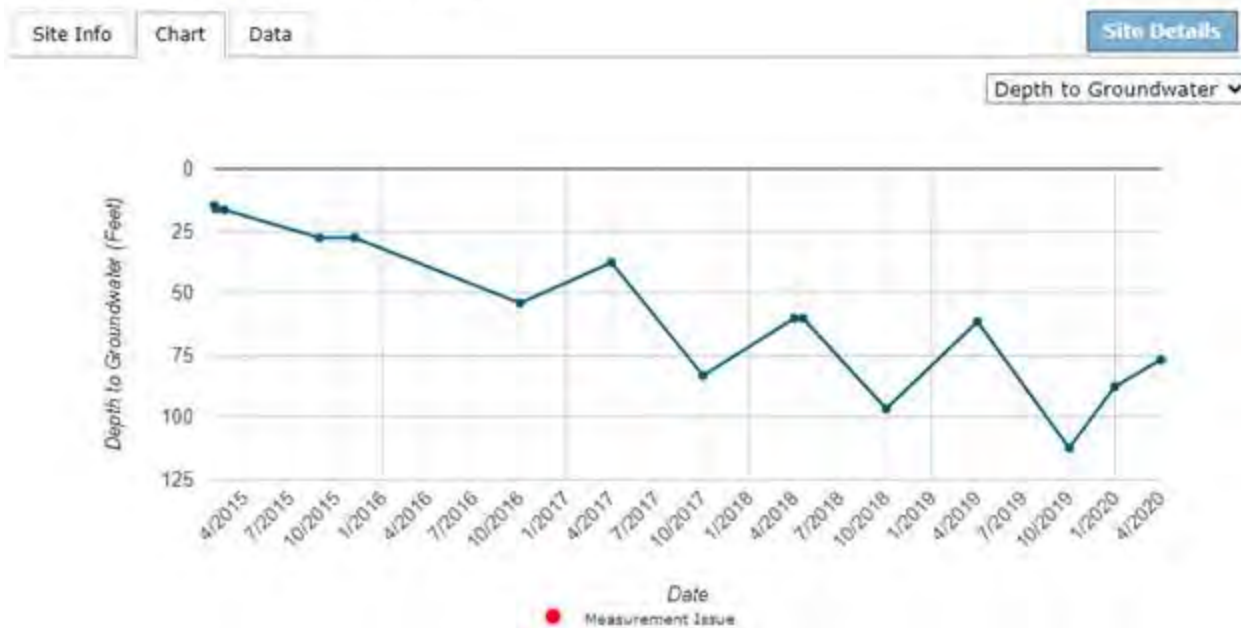
Groundwater Level for OPTI Well #840



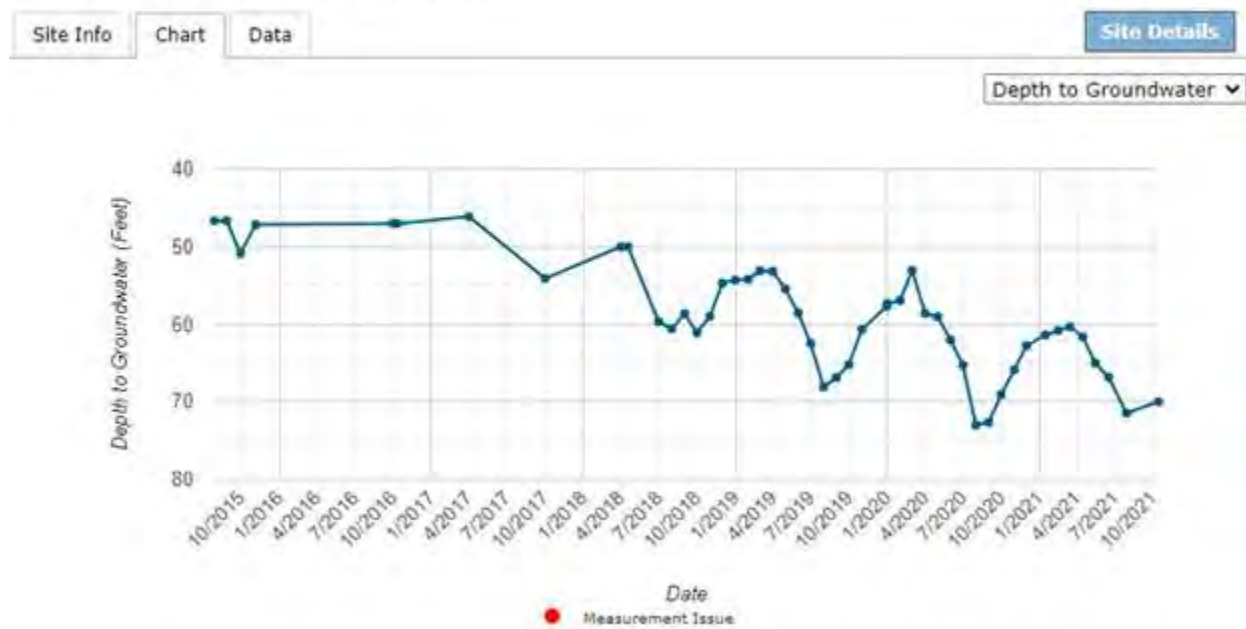
Groundwater Level for OPTI Well #841



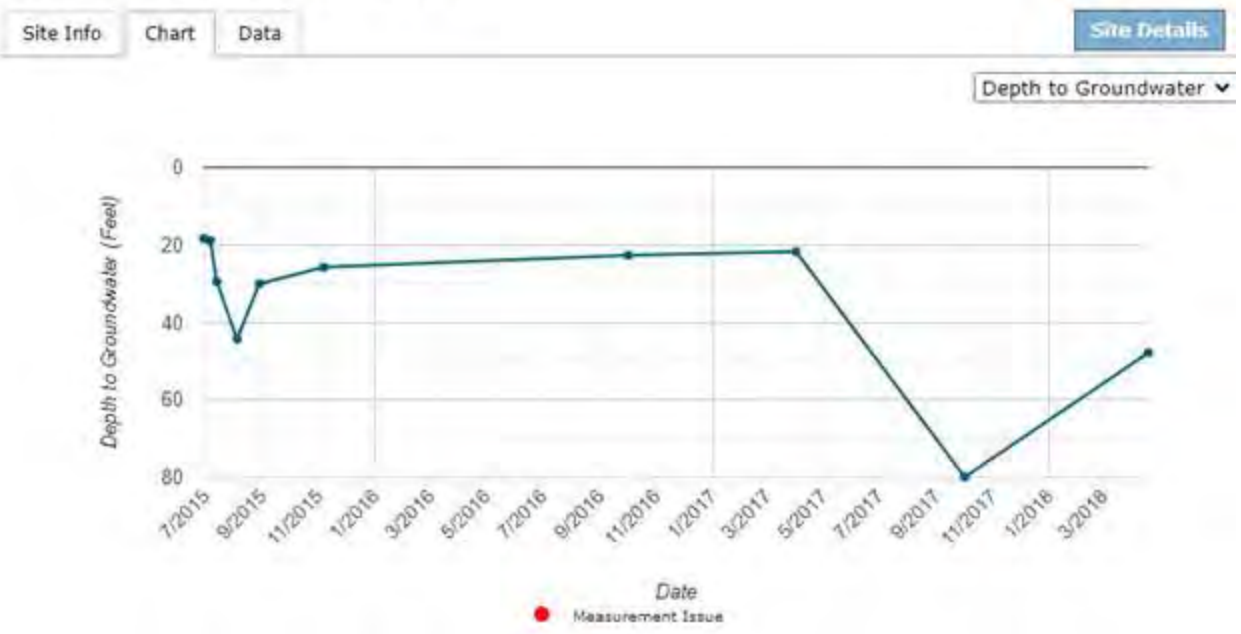
### Groundwater Level for OPTI Well #843



### Groundwater Level for OPTI Well #845



### Groundwater Level for OPTI Well #849



Screenshots taken from Opti DMS. <https://opti.woodardcurran.com/cuyama/main.php> For map of locations see Figure 2

Figure 2: North Fork Vineyard with GSA Monitoring Wells

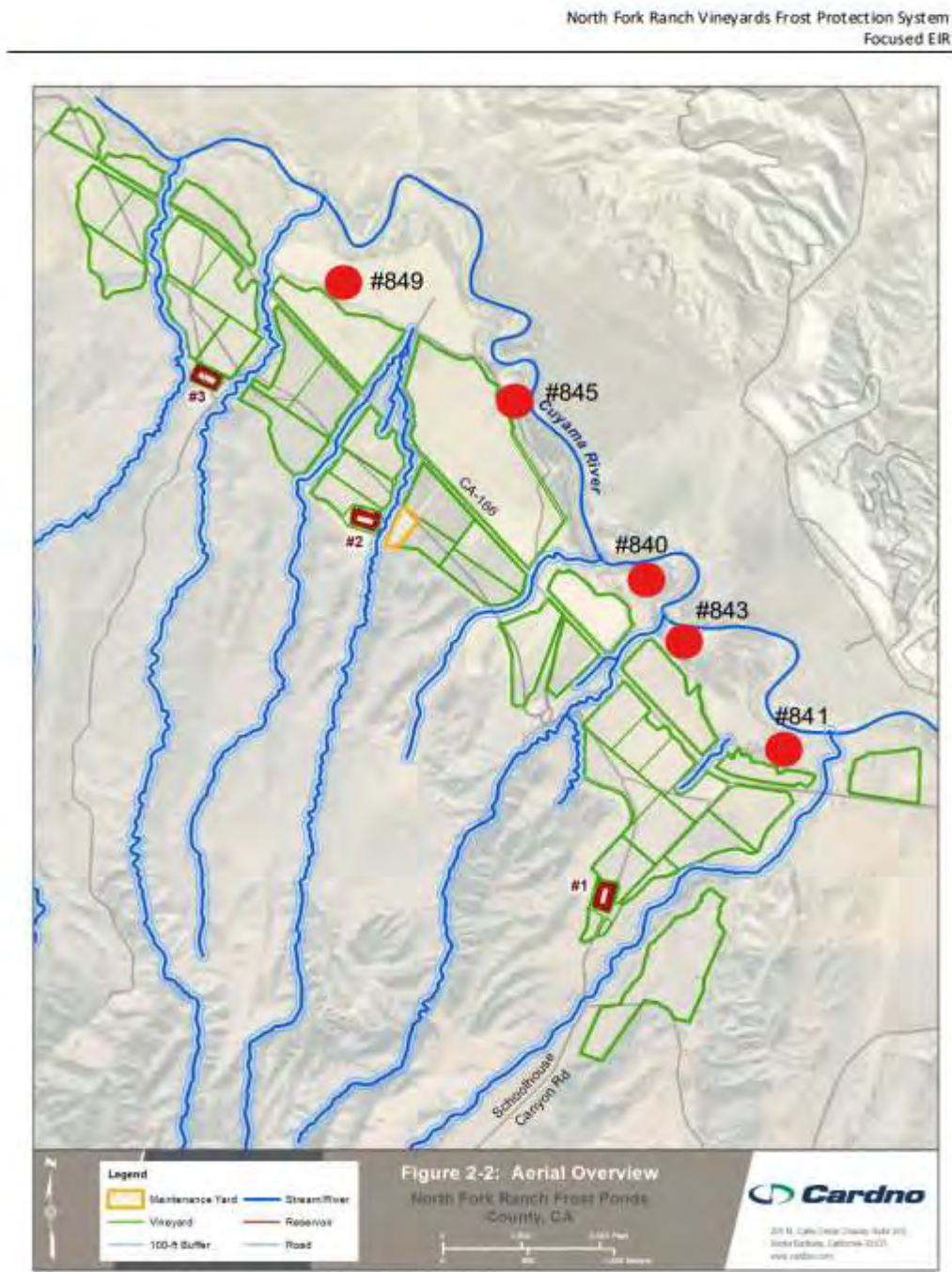


Figure 2-2 Aerial Overview

Source: North Fork frost ponds DEIR.

Well locations approximated from CBGSA Opti DMS. CBGSA Optiwell, Woodard and Curran.  
<https://opti.woodardcurran.com/cuyama/main.php>

**Figure 3: Groundwater Depletion, Northwestern Sub-basin, Cuyama Basin**

Well #	Dates measured	$\Delta$ ft total (approx.)	$\Delta$ ft / yr (approx.)	Last recorded Depth	Measurable Objective (approx.)	Minimum Threshold (approx.)	Years to MO (at current rate)	Years to MT at current rate	Years to bottom of aquifer (1200 ft)
840	11/15-10/19	-78	-19	55	155	205	5	8	48
*841	11/15-10/21	-57	-9	98	155	205	7	12	72
843	11/15-10/19	-85	-21	112	155	205	2	5	30
*845	10/15-10/21	-23	-4	70	155	205	21	35	210
849	11/15-10/17	-54	-27	48	155	205	4	6	42

AVERAGE RATE OF DEPLETION: 16 ft./yr.

Data from Woodard and Curran, Opti DMS online portal:

<https://opti.woodardcurran.com/cuyama/main.php> (retrieved 1-18-22).

\* signifies Representative Monitoring Well. Representative monitoring wells are reported monthly (see hydrographs below)

Beginning and ending measurements ("dates measured") taken in Oct/Nov (after irrigation season) to enable calculations of depletion rates.

MTs and MOs taken from CBGSP: <https://cuyamabasin.org/resources#final-gsp>

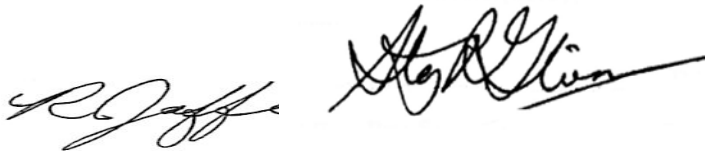
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California Department of Water Resources  
Southern Region

From: Roberta Jaffe and Stephen Gliessman



September 19, 2022

Thank you for this opportunity to comment on the Cuyama Basin's GSA's Technical Memorandum submitted November 5, 2021 in response to CDWR's letter of June 3, 2021 (reissued on January 21, 2022) finding the Cuyama Basin's GSP incomplete. The GSP if implemented accordingly, can bring the Cuyama Basin into sustainability by 2040 in accordance with SGMA as long as some key modifications are addressed in the Plan. Unfortunately, we did not find that the GSA's Technical Memorandum (hereafter called the "Memo") substantially addressed the four potential corrective actions identified by CDWR. This letter specifically provides evidence and rationale for needed improvements in the GSP for three of these corrective actions:

- Potential Corrective Action 1. Provide justification for, and effects associated with, the sustainable management criteria,
- Potential Corrective Action 2. Use of groundwater levels as a proxy for depletion of interconnected surface water,
- Potential Corrective Action 4. Provide explanation for how overdraft will be mitigated in the basin.

We are long term residents, farmers and stakeholders in the Cuyama Valley. We have been involved with the development of this GSP from the start. In collaboration with the Cuyama Valley Community Association, we helped establish the Standing Advisory Committee (SAC) in the Joint Powers Agreement (JPA) for the GSA to ensure local representation in the development and implementation of the GSP. Roberta serves on the SAC and was its first Chairperson. Together we farm a small dry-farmed vineyard in the Western part of the Cuyama Basin, located in the Western Threshold Region, just to the south of the Northwest Threshold Region. Specifically, as farmers in the western sector of the Cuyama Valley we are concerned that our shallow well and those of our neighbors, along with local GDEs and interconnected surface water will be impacted in the long-term by the newly irrigated agricultural land being farmed in proximity to our property and close to the Cuyama River and Cottonwood Creek. Thus, we have focused on Corrective Actions 1, 2 and 4 since they most specifically affect our region.

Jaffe-Gliessman Comment Letter  
Cuyama Basin GSP Resubmission  
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In addition to our local experience and knowledge, Stephen also brings his academic strength to these comments. He has a Ph.D. in California Botany and Plant Ecology from UC Santa Barbara. He is an emeritus professor at UC Santa Cruz where he taught agroecology and sustainable agriculture courses at UCSC for over 30 years, and has practical experience in sustainable farming in many parts of the world.

**Potential Corrective Action 1. Provide justification for, and effects associated with, the sustainable management criteria.**

**The DWR letter states on pages 2-4:**

“The GSP provides quantitative values for the minimum thresholds and includes a combination of those minimum threshold exceedances that the GSA considers causing an undesirable result. However, the GSP does not discuss, or appear to address, the critical first step of identifying the specific significant and unreasonable effects that would constitute undesirable results. The GSP states undesirable results for chronic lowering of groundwater levels would occur when groundwater level minimum thresholds are exceeded in 30 percent of monitoring wells for two consecutive years. (The same 30 percent for two consecutive years criterion is used for reduction in storage, degradation of groundwater quality, land subsidence, and depletion of interconnected surface water.) However, the GSP does not provide any explanation for why the criterion is consistent with avoiding significant and unreasonable effects that constitute undesirable results

...This lack of information is particularly notable in the Northwestern threshold region. The GSP states that the intention of the sustainable management criteria for the Northwestern region is to “...protect the water levels from declining significantly, while allowing beneficial land surface uses (including domestic and agricultural uses) and using the storage capacity of this region.” However, the Northwestern region is the only region in the Basin where the sustainable management criteria indicate a plan to substantially lower groundwater levels, relative to conditions at the time of GSP preparation (i.e., the minimum thresholds for groundwater levels are up to 140 to 160 feet lower), in an area with the highest concentration of potential GDEs in Cuyama Valley and with interconnected surface water, which is evidenced by a gaining reach of the river. The GSP did not quantify the expected depletions of surface water over time or assess or disclose the anticipated effects of the established minimum thresholds on beneficial uses and users of groundwater, which, based on Department staff’s review, appear to include nearby domestic users, potential GDEs, and users of the interconnected surface water. The absence of this information and related discussion precludes meaningful disclosure to, and participation by, interested parties and residents in the Basin. In addition, without this discussion it is difficult for Department staff to determine whether it is appropriate or reasonable for the GSA to conclude that undesirable results in the Basin would not occur unless nearly a third of representative monitoring points exceed their minimum thresholds for two consecutive years.”

**The GSA Memo responds:**

p.4

“...However, the re-assessment of thresholds and UR statements will be a likely component of future GSP updates. These future revisions will utilize the detailed and reliable data collected by the GSA during the first five years of GSP implementation.

...The 30 percent of wells exceeding their MT for 24 consecutive months criteria included in the GSP allows the CBGSA the flexibility to identify the cause of MT exceedances and to develop a plan for response (per the Adaptive Management approach described in Section 7.6 of the GSP). Furthermore, groundwater levels in areas of the basin change in response to climatic conditions and therefore, sustained exceedances of minimum thresholds are considered to be more significant than short-term exceedances. Setting the Identification of Undesirable Results criteria at 30 percent or more of wells exceeding their MT is intended to reflect undesirable results at the basin scale, and using 24 consecutive months allows the GSA time to address issues, perform investigations, and implement projects and management actions as needed.”

Response re Northwest threshold region:

“A numerical modeling analysis of proposed minimum thresholds at Wells 841 and 845 show that these thresholds would have no negative impact on local domestic wells and only minimal impact at a single GDE location. Stream depletions could potentially increase by a small amount. “ (p. 9)

**Corrective Action 1 Our Comment:**

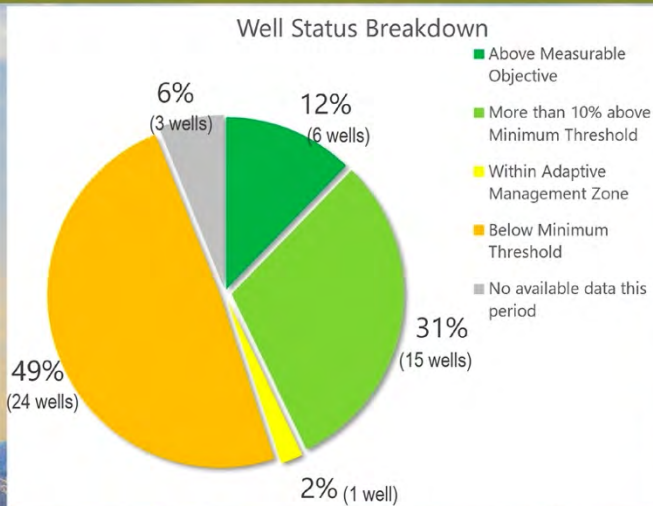
Throughout the GSP and the Technical Memorandum, Minimum Thresholds (MT) are referred to as fixed levels which were adopted by the GSA and incorporated into the GSP. The MTs for wells were established by dividing the Basin into six Threshold Regions and then using a formula for each region to identify MTs for each well that was designated as part of the monitoring network. These MTs form the basis for determining if the Basin is headed toward Undesired Results related to groundwater level, groundwater storage, and other areas as well. At the regular meetings of the GSA and SAC, a pie chart has been incorporated into the groundwater report to show the status of how many wells were near or below their MT. There has been a constant trend of more wells being below MT. It was reported at the GSA meeting on Jan 5, 2022 that “as of October 2021, 30% of wells have been below minimum threshold for 6 or more months and if the current levels hold, we will exceed GSP limitations in 18 months (~April 2023).”

The slide below from the September 7, 2022 GSA meeting shows 49% of the wells that are part of the Basin’s monitoring network are below established minimum thresholds. The continual increase in wells below MT verifies the downward trend in the Basin. As stated in the Memo:

“Setting the Identification of Undesirable Results criteria at 30 percent or more of wells exceeding their MT is intended to reflect undesirable results at the basin scale, and using 24 consecutive months allows the GSA time to address issues, perform investigations, and implement projects and management actions as needed. (p.4 GSA Technical Memorandum)”

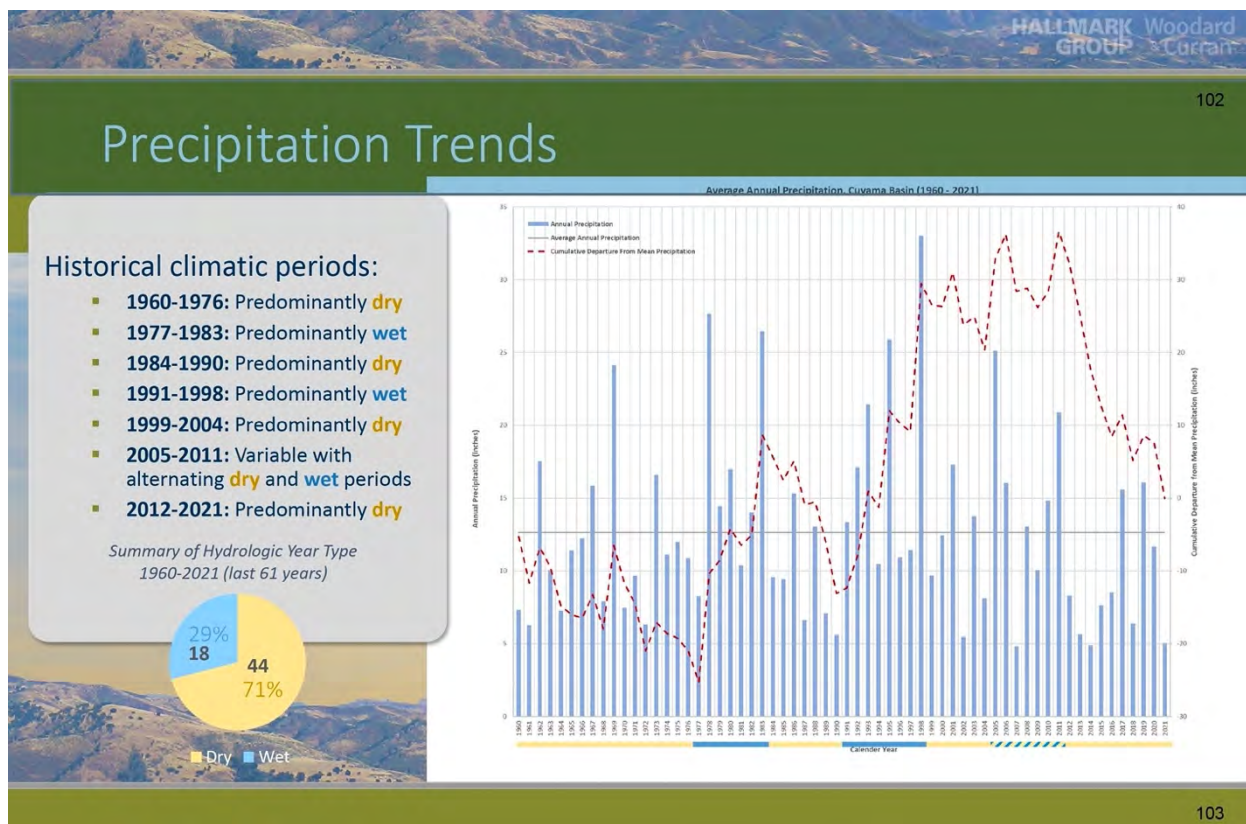
## Summary of Groundwater Well Levels as Compared To Sustainability Criteria

- 24 wells are currently below minimum threshold (MT)
  - 30% of wells (i.e. 15 wells) below MT for 14 months
  - 8 of these were already below MT at time of GSP adoption
- Adaptive management analysis is currently under way as directed by Board in July



An adaptive management committee has been formed within the GSA to address these concerns. One of the main options under consideration is to actually lower the Minimum Thresholds below those established in the GSP, and/or increase the 30% already below their MTs over the two year requirement. MTs should not be a moving target, but rather a fixed benchmark that allows for examination of trends. Instead, robust investigation for causes of the continued depletion of wells in the monitoring network needs to be undertaken. The Memo response to the DWR letter continues to use these MTs and the 30% of wells below MT over 2 years as a key foundation for monitoring URs.

Furthermore, a study conducted by Woodard and Curran looking at precipitation trends over the past 62 years shows that 71% of these years have been predominantly dry, with below average rainfall.



(GSA packet, September 7, 2022, p. 102)

As a continued downward trend is demonstrated combined with predicted ongoing drought in a climate that is exceedingly dry, we ask CDWR to not allow for MTs to be lowered or the 30% level to be increased. Rather than lower the MTs we need to examine why we continue to approach and exceed these MTs. We need to understand causal effects and address those, most likely in the form of extraction reductions.

If the GSA recommends changing the MTs or 30% benchmark, we ask that DWR require this be submitted as a significant change to the GSP and follow all of the established protocol for making changes to the GSP.

### Northwest Region

In DWR's letter, they specifically asked why the MTs for the Northwest Threshold Region were allowed to decrease the water level 140 feet. The Memo responded to this in a section headed: "Modeling Analysis of Northwestern Threshold Groundwater Levels Minimum Thresholds" and stated: "Specifically, DWR questioned what impact(s) may occur to nearby domestic wells and GDEs if groundwater levels were to reach MTs in representative wells. To address this, the Cuyama Basin Water Resources Model (CBWRM) was used to simulate groundwater level conditions by artificially dropping groundwater levels near Opti Wells 841 and 845 to the set MTs. This was done by assigning specified head boundary conditions at the MT levels for the model nodes near these well locations.

The simulation was run for 10 years over the historical period between water years (WY) 2011 to 2020 during which the specified head boundary conditions at the MT levels were continuously active.”

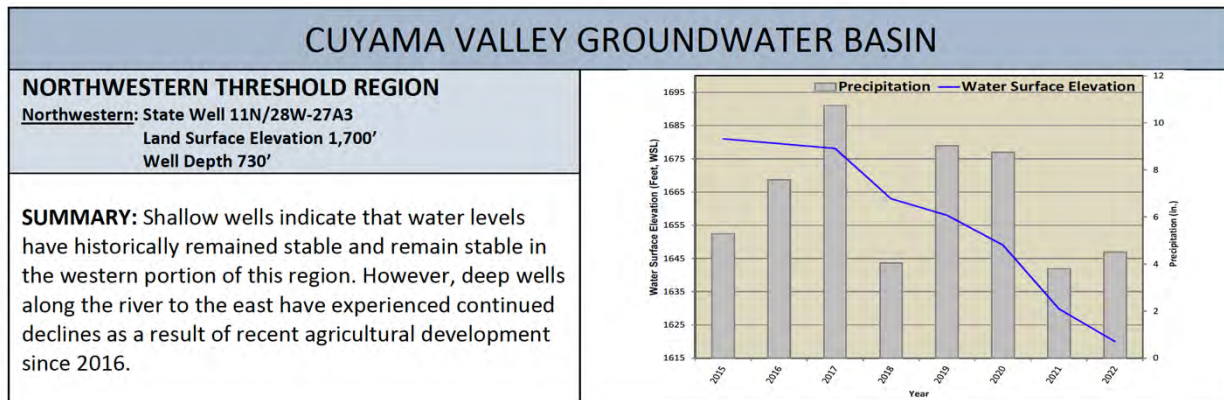
The GSA adopted MTs for the Northwest Region that were recommended by the consultants to North Fork Vineyard, and not the consultants hired by the GSA, were not openly peer reviewed, and have not addressed the need to modify them in the Memo response to DWR. North Fork Vineyard continues to develop plans to further extract groundwater from this area for which there is no evidence of recharge and which would ultimately lead to complete depletion.

Table 2-1 from the Memo describes MT justifications for each of the Threshold Regions. However, the description for the Northwest Region does not accurately reflect the trend since pumping began in 2016, of steep decline in water levels in this region as shown in the graph following Table 2-1.

**Table 2-1. Summary of MT Calculations for Chronic Lowering of Groundwater Levels for Each Threshold Region**

Threshold Region	MT Calculation Approach	Justification
Northwestern	The MT for this region was found by determining the region's total average saturated thickness for the primary storage area and calculating 15 percent of that depth. This value was then set as the MT.	Monitoring in this threshold region indicates levels are stable, with some declines in the area where new agriculture is established. Due to these hydrologic conditions, the MT was set to protect the water levels from declining significantly, while allowing beneficial land surface uses (including domestic and agricultural uses) and using the storage capacity of this region.
Western	The MT was calculated by taking the difference between the total well depth and the value closest to mid-February, 2018, and calculating 15 percent of that depth. That value was then subtracted from the mid-February, 2018 measurement to calculate the MT.	Monitoring in this threshold region indicates groundwater levels are stable, and levels varied significantly depending on where representative wells were in the region. The most common use of groundwater in this region is for domestic use. Due to these hydrologic conditions, the MT was set to protect the water levels from declining significantly, while allowing beneficial land surface uses of the groundwater and protection of current well infrastructure. Values from mid-February, 2018, are used because data collected during this time represent a full basin condition. This calculation allows users in this region to use their groundwater supply without increasing the risk of running a well beyond acceptable limits, and this methodology is responsive to the variety of conditions and well depths in this region.
Central	MT was calculated by finding the maximum and minimum groundwater levels for each representative well and calculating 20 percent of the historical range. This 20 percent was then added to the depth to water measurement closest to, but not before, January 1, 2015, and no later than April 30, 2015.	Monitoring in this threshold region indicates a decline in groundwater levels, indicating an extraction rate that exceeds recharge rates. The MT for this region is set to allow current beneficial uses of groundwater while reducing extraction rates over the planning horizon to meet sustainable yield. The MO is intended to allow sufficient operational flexibility for future drought conditions.

Graph from Santa Barbara’s Annual Groundwater Report 2022 shows steep declines in the Northwest Region. (Santa Barbara County, September 2022, p.5)



5

The MT calculation for the Northwest Region used a completely different formula than was used for the other Basin’s Threshold Regions, nor was it established by the GSA consulting engineering firm, Woodard and Curran as the others were. Instead, it was recommended by the consultants for North Fork Vineyard, the largest pumper in the region who started drilling their wells in 2015 when they started the conversion of dry rangeland to an 850-acre vineyard. Using their formula established a MT that allows the GWL to decrease by 140 feet before any concern for depletion of the area will be triggered. Figure 2-3 that follows shows the potential impact on the region as the area around OPTI wells #845 and #841 are modeled to go down below 150-200 feet. These wells are adjacent to the Cuyama River and include some of the few areas of sensitive shallow-rooted riparian habitat remaining along the Cuyama River.

We think this model does not show the full impact since water years 2011-2020 were used for this modeling. These wells were not drilled until 2015-2016. And they were not pumping to meet full irrigation needs until around 2020 when the vineyard canopy was fully developed. Thus, we expect to see more excessive depletion than the model shows, unless corrective action is taken soon.

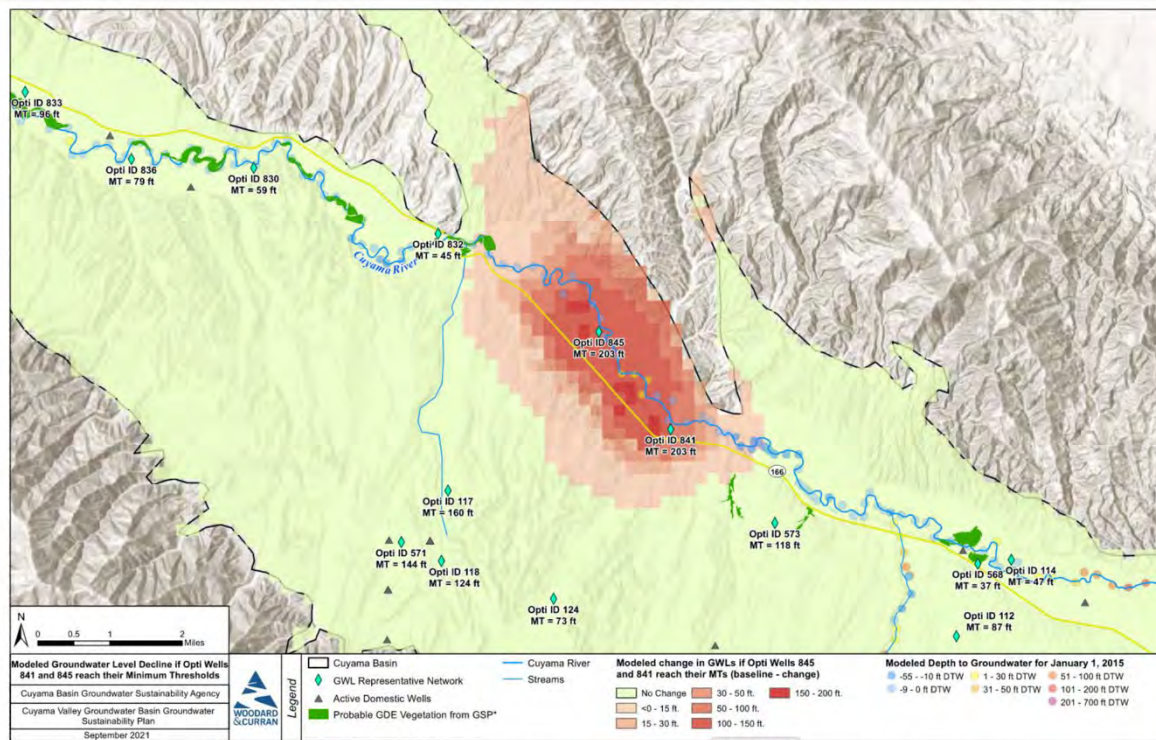


Figure 2-3. Change in Groundwater Levels in Northwestern Region 1, from CBWRM Test Simulation

(GSA Technical Memo, p. 13)

Furthermore, the Santa Barbara County Groundwater Report (2022) also shows this area is receiving minimal recharge, since their graph shows a distinct downward slope in GWL. If there were any significant recharge, the lines should show some upward movement in response to rainfall, but there is none. This would indicate that continued pumping will drop below the MTs in a few years, even though they were set quite low. The side streams feeding the Northwest Region have minimal flow, and it is probable that the deep cone of depression in the Central Region inhibits most downriver groundwater flow in the Cuyama River.

In addition to the downward trend currently shown in the Northwestern Region and its projected impacts, we ask CDWR to consider future pumping demands on this region. Currently North Fork Vineyard has a permit application before the Santa Barbara County Planning Commission to construct three large reservoirs, called frost ponds, each with the capacity to hold 45-acre feet of water and which would be filled by pumping groundwater from their network of deep wells. These reservoirs would have the potential of being refilled multiple times in a season with the recurrence of spring frosts.

Review of the reservoir project and the draft environmental impact report can be found at:

<https://www.countyofsb.org/3060/North-Fork-Ranch-Frost-Ponds> .

In summary, in relation to Corrective Action 1, we recommend that:

- With the established downward trends in both the Central and Northwest Threshold Regions and the increased number of monitoring network wells below minimum threshold, the GSA follow their GSP

and take immediate action to remediate these trends. They should not take into consideration further lowering of MTs or increasing the benchmark of 30% of wells below MT being an Undesirable Result.

- For the Northwest Region, we ask that the impact of the current downward trend be recognized and mitigations be put in place to reduce groundwater level depletion that will affect the interconnected surface waters and GDEs in the region. These steps most likely will focus on pumping reductions.

### **Potential Corrective Action 2. Use of groundwater levels as a proxy for depletion of interconnected surface water**

#### **From DWR Letter p. 6**

“The second potential corrective action relates to the GSP’s lack of explanation and justification for the use of groundwater levels as a proxy for depletions of interconnected surface water.

...The GSP lacks a demonstration, with supporting evidence, of the reasonableness of using groundwater level thresholds as a proxy for depletion of interconnected surface water. The GSP states that ‘[b]y setting minimum thresholds on shallow groundwater wells near surface water, the [GSA] can to (sic) monitor and manage [the hydraulic gradient between surface water and groundwater], and in turn, manage potential changes in depletions of interconnected surface [water].’ However, in defining the groundwater level proxies for depletion of interconnected surface water, the GSA appears to have used all the groundwater level thresholds it defined for chronic lowering of groundwater levels regardless of depth of the well or proximity to surface water. It is not obvious to Department staff why managing the Basin to the complete set of chronic lowering of groundwater level thresholds is sufficient to avoid undesirable results for depletion of interconnected surface water, especially since many of those groundwater level thresholds represent conditions that are lower than current conditions. Addressing the Deficiency the GSA should provide a demonstration, with supporting evidence, for why using the basinwide groundwater level minimum thresholds is a reasonable proxy for thresholds for depletion of interconnected surface water.”

#### **Tech Memo Response:**

p. 14-15

3.2

“The Cuyama River and all of the contributing streams are dry during most of the year, with flows occurring only during precipitation events during the winter months. Nearly all precipitation in the Basin and contributing watersheds percolate into the primary aquifer. The Cuyama River and four primary contributing streams were modeled, with the estimates of gaining and losing quantities provided in Table 2-2 of the GSP.

In addition, in Section 2.2.9 the GSP recommended the installation of piezometers in the vicinity of the river streambed to provide additional shallow aquifer groundwater level measurements.

...The primary areas of concern for ISW are on stretches of the Cuyama River upstream of Ventucopa and downstream of the Russell Fault. Because the Cuyama River does not flow during most days of the year and the river is not subject to environmental flow regulations, the primary beneficial uses of



Cuyama River streamflows are GDEs and water users who utilize water that may flow into Lake Twitchell downstream of the basin boundary. Lowering groundwater levels could result in reduced streamflows for beneficial use by these users. Therefore, the intent of the ISW monitoring network and sustainability criteria is to ensure that long-term groundwater level declines do not occur in the vicinity of the connected stretches of the Cuyama River.

3-1. Potential Stream Interconnectivity using Historical Modeled Groundwater Levels in January 2015. Shows the river in the NW Section to be a gaining stream, while that in the Central Basin a losing stream

...In addition, depletions of interconnected surface waters occur at the interaction of surface and groundwater, which is in the shallow portion of the aquifer. In general, wells with completions or depths within 100 ft bgs are preferable to provide more useful information about this near surface interaction. Common practice is to also only include wells that are in areas of interconnectivity or areas where interconnectivity conditions are close to those that define interconnectivity (for example, areas with groundwater levels between 30 to 50-feet below ground surface). Due to the limited number of available wells in the Cuyama Basin with screen intervals (or where screen interval data is not available, well depth) of less than 100 ft bgs, the proposed ISW network includes only five wells. Additional monitoring locations will need to be identified to fill data gaps in the ISW network as discussed below. The resulting ISW monitoring network is shown in Table 3-1 and Figure 3-2 below. The monitoring network includes 12 wells, nine of which are representative wells for which minimum thresholds and measurable objective have been defined. Minimum thresholds at the representative well locations are protective of GDE locations in the upper and lower portions of the river, with minimum thresholds less than 30 feet from the bottom of the river channel in the vicinity of four wells (89, 114, 830 and 832). “

**Corrective Action 2 Our Comment:**

History shows the depletion of interconnected surface waters and drying up of GDEs has already happened in Cuyama due to overextraction of groundwater. Prior to the 1940s historical accounts show the Cuyama River flowed year-round throughout the Basin and cottonwoods lined most of the river. When agriculture started pumping in the main basin there was little concern because the thought was it was protected by faults to the east. Now the Cuyama River is perennial at best, and the Main Basin is in a permanent state of critical overdraft with no interconnected surface water or GDEs in sight. With such a dry landscape as a backdrop, the GSA gave very low priority to the protection of interconnected surface waters and GDEs. However, because of the historical evidence we cite above and the loss of these ecosystems, now is a critical time to protect the gaining stream in the western sector before the new agricultural pumping in the Northwest Threshold Region depletes the surface water and GDEs in this area. To allow a deep cone of depression to develop will only repeat the pattern of depletion and habitat destruction, and not just in the Northwest Region itself, but also in the down-river ecosystems to the west.

In Section 3 of the Tech Memo the GSA responds to DWR by establishing an ISW monitoring network:

“Therefore, the intent of the ISW monitoring network and sustainability criteria is to ensure that long-term groundwater level declines do not occur in the vicinity of the connected stretches these interconnected surface water flow reaches of the Cuyama River system.”

We would like to bring to your consideration the following information included in the Memo that we think is relevant to ISW protection in the Northwest Region to the west of Russell Fault: Figure 3-1. *Potential Stream Interconnectivity using Historical Modeled Groundwater Levels in January 2015* shows that the area to the west of Russell Fault as a “gaining connected stream”.

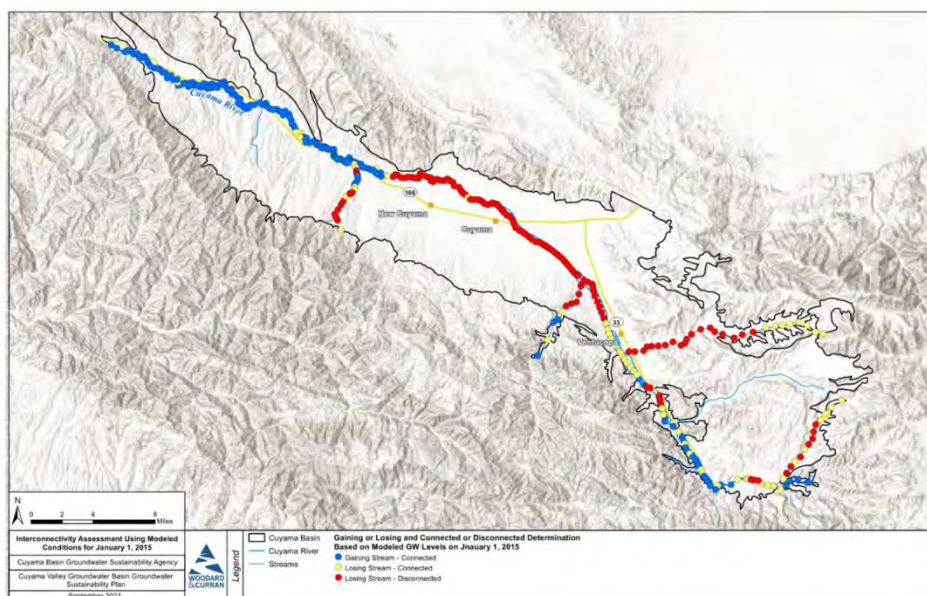


Figure 3-1. Potential Stream Interconnectivity using Historical Modeled Groundwater Levels in January 2015

Figure 2-3. *Change in Groundwater Levels in Northwestern Region from CBWRM Test Simulation* (see above on p. 8 of this comment letter) shows that the modeling for wells 841 and 845 will be depleted down to 150-200 feet directly over the Cuyama River. Thus, the modeling of these two wells demonstrates that the Interconnected Surface Water in the northwestern area will be directly impacted. This section of the river will move from a gaining stream to a losing stream. We don't understand how this continued extraction can be allowed when it would appear obvious that the UR for Interconnected Surface Waters, one of the last ISWs in the Basin, will occur.

In response to the DWR letter, the Memo establishes a new network of monitoring wells to monitor the ISW. These wells are mapped in Figure 3-2. *Interconnected Surface Water Monitoring Network*. We are concerned that four of the five wells identified to monitor the northwest region, are to the west of the confluence with Cottonwood Creek which flows into the Cuyama River below the vineyard in the Northwest Region, and therefore do not monitor the impacts of the pumping in that region. A better way to monitor the actual relationship between pumping in the Northwest Region and

ecosystems downstream would show the impact of falling groundwater levels of these wells on the ISW and GDEs. The only well in this region that is identified to the east of the confluence with Cottonwood Creek is well #906 which was recently constructed as a monitoring well and thus there is no historical data for this area. In addition, it is at the eastern end of North Fork Vineyard, and thus most likely will not account for any impact of the declining groundwater levels on ecosystems downstream from the vineyard. We strongly recommend that piezometers be set along the river parallel to the vineyard wells and be incorporated into the ISW Monitoring Network, as well as close to the actual remaining GDEs.

There is really no need to model the impact of drawing the groundwater level down 120 feet on the impact on the rootzone of GDEs, as proposed for the piezometer monitoring, since the root depths of most GDE species are less than 40 feet from the surface. There have been plans to install piezometers in this area for several years, but installation has been delayed several times. They are now scheduled for spring 2023. Based on the current rate of groundwater level decline in the Northwestern Region, by the time data from the piezometers is available, it will probably be too late. It will only be through limiting extraction from this area that the ISW and GDEs will be protected. The Memo seems to not include information related to how the ISW Monitoring network will be monitored and what adaptive management actions will be taken that will stop from creating the Undesired Result. There is an urgency to this as the GWL of Opti Wells 841 is approaching 100 feet below the surface. Basically, the acceptance of the downward trend from pumping in the Northwest Region needs to be stopped. Otherwise, we are just managing for depletion and not for sustainability.

In summary, in relation to Corrective Action 2, we recommend that:

- Monitoring be established with piezometers in the area between Opti Well #906 and Cottonwood Creek.
- Adaptive management actions (most likely pumping reductions) to halt depletion be updated for ISW and GDEs in this area that can be implemented as soon as possible and no later than 2025.
- Recommendations be made to raise MTs for the Northwest Region to a more restrictive level to protect the ISW and GDEs in this region and to maintain a gaining stream before it is too late.

#### **Potential Corrective Action 4. Provide explanation for how overdraft will be mitigated in the basin**

##### **From DWR Letter p. 9**

“...the GSP only intends to implement those pumping reductions in the Central Basin management area and does not explain why pumping reductions will not be implemented in the Ventucopa management area. The GSP executive summary states that “[p]umping reductions are not currently recommended for the Ventucopa Area”

In addition to the Ventucopa Area, the GSP also does not discuss why projects and management actions were not considered in the Northwestern threshold region, where, as noted above in Potential Corrective Action 1, it appears that overdraft will occur for some time and the allowable groundwater-level decline is over 100 feet. Addressing the Deficiency The GSA should explain the rationale for not implementing pumping reductions in the overdrafted Ventucopa management area or any other portion of the Basin where overdraft is expected to continue, and explain the timeline and criteria that may be used to determine whether future pumping reduction allocations are needed. If the criteria to

implement pumping reductions are related to the effects on beneficial uses and users, as mentioned in Potential Corrective Action 1, the GSP should clarify what those effects are that would necessitate pumping reductions.

If mitigation strategies are not included, the GSP should contain a thorough discussion, with supporting facts and rationale, explaining how and why the GSA determined not to include specific actions to mitigate drinking water impacts from continued groundwater lowering below 2015 levels.”

**Tech Memo Response, p. 25**

“The modeling results did not predict overdraft or groundwater declines in any other portion of the basin, including the northwest region. 5.3.2 In regard to the northwestern region, management actions were not included in the GSP for this region because the available information did not indicate a projected overdraft in that region. The following information was considered during development of the GSP: • The CBWRM model indicated a balance between groundwater inflows and outflows in the region in all of the water budget scenarios that were simulated. • The Cleath-Harris Geologists (CHG) document Sustainability Thresholds for Northwestern Region, Cuyama Valley, dated December 7, 2018, developed under contract with the North Fork Vineyard. This document identified minimum thresholds for this area that would be protective of groundwater pumping capacity for production wells in this area. CHG estimated that the minimum thresholds proposed for the region would result in a fifteen percent reduction in the saturated thickness screened by the production wells, which would correspond in very general terms to a similar reduction in transmissivity and pumping capacity of the production wells. The technical analyses described in Section 2 regarding potential corrective action 1 indicates that the potential drawdown due to the minimum thresholds set for wells 841 and 845 could have a small effect on GDEs and domestic wells in the area. However, the thresholds set in the monitoring wells located in the vicinity of these basin resources are set at protective levels that would be indicative of any issues that may arise, allowing the CBGSA to make an appropriate adaptive management response (per section 7.6 of the GSP). Therefore, the available evidence indicates that management actions are not required in this region at this time.”

**Corrective Action 4 Our Comment:**

With regard to the Northwest Threshold Region, there is an opportunity to do this right if mitigation is set in place now. “Doing it right” would mean that the region is managed so that the current single large pumper is not extracting water that will, in the near future if not already, impact the gaining stream nor GDEs in the area, as well as have future negative impacts on domestic and ranch wells nearby or downstream.

The current guidelines for identifying management areas state that an average of a 2 ft. drop in water levels per year over a 50-year period be used to determine if an overdraft is occurring. A region such as the Northwest Region, where the history of water use is based on use that up until 2016 was dry unirrigated rangeland, will have a very low depletion rate based on an average calculated on use that has been minimal. This does not account for the fact that current extraction is causing an average of up to 20 ft of groundwater level decrease per year in the eastern part of the Northwest threshold region. This allows rapid depletion and lowering of groundwater levels to levels where URs will occur.

As stated above, in this section of the Memo there is a statement as to how the MTs for the Northwest Region were established by Cleath-Harris Geologists under contract to North Fork Vineyard, the only large pumper in the Northwest region. The GSA adopted MTs for the Northwest Region that were recommended by these consultants, and not the consultants hired by the GSA. The GSA has not addressed any need to modify them in the Memo response to DWR. North Fork Vineyard continues to develop plans to further extract groundwater from this area for which there is no evidence of recharge and which would ultimately lead to complete depletion.

Furthermore, the Memo states that there was no perceived need for mitigation for this region because the MTs were not being approached and the modelling showed a projected balance. We are concerned that the rationale for not setting management actions in the Northwest Region is circular in its logic. The MTs were set 120 feet below the 2015 level based on a recommendation from consultants to North Fork Vineyard using a water availability methodology different from the rest of the Basin. This was also a very different recommendation from Woodard and Curran's original recommendation, whose formulae for all the other Threshold Regions were adopted by the GSA. The MTs for the Northwest Region are set at such a low mark that it has allowed North Fork Vineyard to continue its development with plans of increased extraction of water. And the low MTs will make it unrealistic to protect the groundwater basin in this area for all beneficial uses and users of the Cuyama Basin. Lack of mitigation for this region and the lack of a specific adaptive management plan that allows for immediate action if needed, means they are managing for depletion, not for sustainability.

In summary, in relation to Corrective Action 4, we recommend that:

- The criteria for establishing management areas (the 2ft average decrease over 50 years) must be modified to include the drastic increase in pumping currently occurring.
- A tiered approach to pumping reduction be put in place in the Northwest region that protects the interconnected surface water, the GDEs, and shallow domestic and ranch wells
- The determination of the MTs for the northwest region be revisited and submitted for peer review.
- The impact of the drawdown of the groundwater level in the Northwest Region be revised to reflect current and proposed groundwater extraction plans.

Thank you for your consideration.

**Public Comment**

**Re:** Cuyama Basin Groundwater Sustainability Plan REVISED #3-013

**Date:** 9/19/22

**From:** Lynn Carlisle, Executive Director  
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P.O. Box 5 / 4689 Highway 166  
New Cuyama, CA 93254

**To:** Craig Altare  
Supervising Engineering Geologist  
California Department of Water Resources  
901 P Street, Room 213  
Sacramento, California 94236

**Cc:** Anita Regmi and Tim Ross  
California Department of Water Resources  
Southern Region

Thank you for the opportunity to submit public comment on the Revised Cuyama Basin Groundwater Sustainability Plan (GSP) (for basin #3-013), as submitted by the Cuyama Basin Groundwater Sustainability Agency on July 6, 2022.

As background, the Cuyama Valley Family Resource Center (CVFRC) has served as a key local agency in helping to educate and activate the community about groundwater issues in the region. Since August 2014, the CVFRC—and its issue-focused community-led Cuyama Valley Community Association (CVCA)—has been tracking the development of SGMA, the Groundwater Sustainability Agency, the Standing Advisory Committee (SAC), and the Cuyama Basin Groundwater Sustainability Plan (CBGSP). Before the formation of the GSA, the CVFRC/CVCA held 10 public town hall-style meetings, bringing together county elected officials, county staff members, representatives from DWR and the State Water Board, local growers and residents. The CVFRC facility has served as the site of GSA and SAC meetings and serves to disseminate information, provide outreach and communicate outcomes and developments in the process of SGMA implementation. Further, the CVFRC was instrumental in activating local Latinx residents to participate in the SGMA process, and assisted with a community effort to successfully advocate for the creation of two additional seats on the 8-member SAC dedicated to Latinx members of the community. And the CVFRC has been instrumental in ensuring that all live interpretation is available at all meetings of the GSA and SAC.

Having been integrally involved in tracking the Cuyama Basin's SGMA implementation—and having attended nearly every GSA and SAC meeting, in addition to DWR workshops and events, both virtual and in-person—we wish to communicate our appreciation of all stakeholders, including GSA members, their supporting staff members, SAC members and residents, for their

dedication, persistence and keen attention to details that will impact the long-term availability and quality of groundwater in the Cuyama Valley.

We also wish to communicate our appreciation of the DWR's staff and representatives who have been accessible to our community's questions and concerns. Their presence at our GSA meetings and workshops, as available, and their feedback to community members has been much appreciated by the community.

We also wish to thank the DWR for its commitment to a close and detailed review of all GSPs and particularly the Cuyama Basin's Groundwater Sustainability Plan. As groundwater is this region's sole source of water, coupled with the historic, unabated "critical overdraft" of the Cuyama aquifer, it is essential that the GSP is accurate, transparent, enforceable and sets forth requirements that will result in a sustainable water source by 2040 that serves all beneficial uses and users.

These comments will refer to the revised Cuyama Basin Groundwater Sustainability Plan ("CBGSP-Rev"). In addition, these comments will refer to the DWR'S letter (dated June 3, 2020) to the Cuyama Basin GSA outlining several deficiencies in the Cuyama Basin GSP as submitted in 2020 ("Deficiency Letter")

### **Continuing Deficiencies**

In reviewing the CBGSP-Revised (CBGSP-Rev) as submitted, I would like to point out several deficiencies that continue to exist in the resubmitted plan. The Deficiency Letter noted four "potential corrective actions", each of which included discussion of several deficiencies in the plan. These include:

- #1 Provide justification for, and effects associated with, the sustainable management criteria.
- #2 Use of groundwater levels as a proxy for depletion of interconnected surface water
- #3 Further address degraded water quality
- #4 Provide explanation for how overdraft will be mitigated in the basin

The following will address deficiencies described in potential corrective actions #1 and #3.

#### ***#1 Provide justification for, and effects associated with, the sustainable management criteria.***

The Deficiency Letter notes that "The Department's GSP Regulations collect several required elements of a GSP under the heading of "Sustainable Management Criteria," including undesirable results along with the sustainability goal, minimum thresholds, and measurable objectives. Except for the sustainability goal, the components of sustainable management criteria must be quantified so that progress towards sustainability can be monitored and evaluated consistently and objectively." The Deficiency Letter questions the use of the same 30% metric applied to five of the six sustainability indicators required under SGMA: "The GSP states undesirable results for chronic lowering of groundwater levels would occur when groundwater level minimum thresholds are exceeded in 30 percent of monitoring wells for two consecutive years. (The same 30 percent for two consecutive years criterion is used for

reduction in storage, degradation of groundwater quality, land subsidence, and depletion of interconnected surface water.) However, the GSP does not provide any explanation for why the criterion is consistent with avoiding significant and unreasonable effects that constitute undesirable results.”

*Comment:*

The CBGSP-Rev (Appendix B 2020, page 1580) does not present a credible explanation, nor supporting science, for “why the criterion is consistent with avoiding significant and unreasonable effects that constitute undesirable results (URs),” but merely reiterates the same 30 percent metric across all URs.

For example, for the Sustainable Management Criteria for the sustainability indicator “Chronic Lowering of Groundwater Levels”, the CBGSP-Rev continues to assert that “this result is considered to occur during GSP implementation when 30 percent of representative monitoring wells (i.e., 18 of 60 wells) fall below their minimum groundwater elevation thresholds for two consecutive years.” If this metric were reached, the CBGSP-Rev reiterates that the following URs may occur: “If groundwater levels were to reach Undesirable Results levels, the Undesirable Results could cause potential de-watering of existing groundwater infrastructure, starting with the shallowest wells, could potentially adversely affect groundwater dependent ecosystems, and could potentially cause changes in irrigation practices, crops grown, and adverse effects to property values. Additionally, reaching Undesirable Results for groundwater levels could adversely affect domestic and municipal uses, including uses in disadvantaged communities, which rely on groundwater in the Basin.” However, the CBGSP-Rev does not explain how the 30 percent metric was arrived at, nor its efficacy in assessing an approaching undesirable result so that management actions can be taken.

Beyond this lack of explanation, or justifying science, I would like to point out three (3) significant issues with the critical sustainability indicator relative to groundwater levels, which has the potential to significantly impact whether the GSP outlines Sustainable Management Criteria that, when triggered will result in actions that will achieve sustainability for the Cuyama Basin by 2040.

- First, as stated, the inclusion of the requirement that the sustainable management criterion is met **only** if “30 percent of representative monitoring wells fall below their minimum groundwater elevation thresholds for **two consecutive years**.” With the inclusion of the two consecutive year timeframe, this criterion effectively may never be met which would lead the GSA to believe that management actions need not be taken to reverse chronic lowering of groundwater levels, even though that is the most critical metric that will help us understand whether pumping cutbacks are effective. While ostensibly included to allow for seasonal changes in rainfall, temperatures and growing seasons, the “two consecutive years” timeline effectively resets the clock whenever fewer than 30 percent of wells fall below their minimum thresholds. So, if 50 percent of wells were to fall below their minimum thresholds for 23 out of 24 months, a strong rain event in the 24<sup>th</sup> month that temporarily pulled groundwater levels in a few wells above their MTs would automatically reset the “two consecutive years” clock and no actions would be taken, even though 23



prior months breaching minimum thresholds beyond the sustainable criteria would certainly affect the groundwater levels in the basin going forward and jeopardize the GSP's effectiveness in achieving sustainability. This timeframe is unrealistic and is counterproductive to gaining a full awareness of how the basin may be either recharging or becoming more critically overdrafted. We recommend that the language should be struck from the Sustainable Management Criteria for Lowering of Groundwater Levels and a more acceptable and effective approach be included in the GSP.

- Second, as a result of the “two consecutive years” language, roughly 30 months since the original GSP was filed, the Cuyama Basin is in precisely the situation described above. Since the beginning of monitoring groundwater levels of representative monitoring wells in the basin, when more than 30 percent of wells have exceeded their minimum thresholds, the clock has been consistently reset and no management actions were taken, despite significantly breaching this metric for several months running. Not only has the “two consecutive years” language of the so-called “adaptive management trigger” ensured that no management action actually would be triggered, at present, rather than initiating any investigation of the consistent breach of an unsustainable number of groundwater level MTs, the GSA is considering **changing** the Sustainable Management Criteria for this UR to 45 percent of representative wells exceeding their MTs for two consecutive years before any management action would be taken. ***The GSA has not provided any scientific analysis as to why this Sustainable Management Criteria would be changed, nor how the change will affect the eventual sustainability of the Cuyama Basin by 2040.*** To arbitrarily “move the goalposts” of this key Sustainable Management Criteria bears more investigation and inquiry into its justification beyond reported “data gaps”.
- Third, the CBGSP-Rev (and the original CBGSP) does not set specific Management Actions that will result even if “30 percent of representative monitoring wells fall below their minimum groundwater elevation thresholds for two consecutive years,” as is widely expected to take place in April 2023. The only Management Action stated in the CBGSP-Rev (and the original CBGSP) indicates that “management triggers are thresholds that, if reached, initiate the process for considering implementation of adaptive management actions or projects.” In other words, even when a nearly-impossible-to-reach Sustainable Management Criteria *is* reached, the only action that will be triggered is no action at all, but “an **initiation** of a **process** for **considering** implementation of adaptive management actions or projects.” No scientific data has been presented to support the impact that this “two consecutive years” timeline, coupled with management non-action will have on the potential for the GSP to achieve sustainability in the Cuyama Basin in 2040. We request that the DWR consider requiring the GSA develop a more robust and realistic plan for management actions or a series of management actions—that does not include arbitrarily “moving the goalposts” without scientific basis—that will quickly and effectively identify when groundwater levels have been unacceptably lowered and what direct management actions will be taken to reverse this critical undesirable result so that the Cuyama Basin can begin to follow an achievable path to sustainability by 2040.

### #3 Further address degraded water quality

In its Deficiency Letter, the DWR noted that “SGMA provides GSAs with legal authority to regulate and affect pumping and groundwater levels, which have the potential to affect the concentration or migration of water quality constituents and result in degradation of water quality.” The Deficiency Letter further notes that “SGMA provides GSAs with the authority to manage and control polluted water and use authorities under existing laws to implement its GSP, thus, establishing sustainable management criteria and performing routine monitoring of water quality constituents known to affect beneficial uses and users is within the purview of a GSA. However, the Deficiency Letter also notes that the Cuyama Basin GSP declined to set sustainable management criteria for arsenic and nitrates, with the rationale that “there is no “causal nexus” between the GSA’s authority to implement projects and management actions and concentrations of arsenic or nitrate.”

*Comment*

We would argue that the GSA is precisely tasked with implementing projects and management actions that manage not only the concentration of water quality constituents that may occur in the Cuyama Valley, but also the migration or movement of constituents that result from the pumping that the GSA is also precisely tasked with managing to the benefit of all beneficial uses and users.

The CBGSP-Rev seeks to mitigate the identified DWR-identified deficiency with respect to monitoring water quality by 1) annually downloading data from other state agencies relative to arsenic and nitrates; and 2) conducting **one** baseline water quality test in 2022 at all representative monitoring wells, while considering conducting future tests. This approach is insufficient to ensuring proper management of the Cuyama Basin, as pumping reductions to reach sustainability may impact not only concentrations but also movement of arsenic and nitrates. As the primary agency tasked with managing Cuyama’s groundwater for beneficial uses and users, one single water quality test—with no plan for future tests and, more importantly, no plan to develop undesirable results criteria along with any sustainability goal, minimum thresholds, and measurable objectives regarding the constituents of arsenic and nitrates—is insufficient and does not fulfill its charter as a GSA.

Finally, I would encourage the DWR to ask the GSA to clarify its position relative to this statement, “The locations in the Basin of high arsenic concentrations are focused to the south of the town of New Cuyama near the existing Cuyama Community Services District (CCSD) well. This is a known issue for the CCSD that will be mitigated by the construction of a replacement well for the district, which was included as a project in the GSP (see section 7.4.4).” (CBGSP-Rev, page 1598). This final statement implies that the GSA is or was involved in or responsible for constructing a replacement well for the CCSD. The GSA has not been involved in any way in constructing this replacement well and cannot claim that it is “a project of the GSP”.

Cuyama Valley Groundwater Basin  
Groundwater Sustainability Plan  
Amended GSP  
Public Comment to CDWR

To:  
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From:  
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Sent by electronic mail to: [Craig.Altare@water.ca.gov](mailto:Craig.Altare@water.ca.gov)  
 Portal Submission: <https://sgma.water.ca.gov/portal/#gsp>

Sept. 19th, 2022

Dear Mr. Altare,

Thank you for this opportunity to provide public comments to the California Department of Water Resources (CDWR) on the amended Groundwater Sustainability Plan (GSP) produced by the Cuyama Basin Groundwater Sustainability Agency (GSA) and re-submitted on July 18th 2022, in response to the determination by CDWR on Jan. 21st 2022 of being incomplete with four noted deficiencies.

**General Comments:**

I live and work at a land based educational non profit that has been doing environmental and social justice work in Cuyama for over 20 years. I work with fellow farmers and stakeholders in the Cuyama Valley and have been involved with the development of the Cuyama GSA since before its inception in 2017. In collaboration with the Cuyama Valley Community Association, we helped establish the Standing Advisory Committee (SAC) in the Joint Powers Agreement which formed the GSA to ensure local representation in the development and implementation of the GSP by a GSA formed almost entirely of non-local residents. I currently serve as Chairperson of the SAC and Cuyama Valley Community Association (CVCA). Although the following comments are informed by those civic organizations, I am not representing them here. I am speaking on my own behalf as a concerned and engaged resident with an informed lived experience in this Basin. I direct the watershed advocacy activities at Quail Springs Farm, one of the last operations in the valley sustained with surface water diversion from a spring and not irrigated with groundwater at all.

I have been involved in all the Sustainable Groundwater Management Act (SGMA) meetings and have made public comments on the GSP development over the past seven years. These comments are viewable in the appendices of the GSP. Many of these comments and concerns have not been adequately resolved or addressed in the revised GSP submitted in July, and these issues are fundamental to the CDWR's noted deficiencies. Additionally, shortly after the first DWR Determination letter sent in July of 2021, an Adjudication suit was filed by the two biggest pumpers in the basin, Grimmway and Bolthouse, who also hold leadership roles on both the GSA and the Cuyama Basin Water District (CBWD). In spite of the GSA's legal counsel's repeated assurances to the contrary, the conflict of interest in this case is concerning.

A summary of the major issues of concern addressed in this statement are:

1. The Sustainability Criteria (SC) of this GSP do not quantify the specific significant and unreasonable condition(s) that the GSA intends to avoid in the Basin. The GSP, using these SC, **allows for continued overdraft and subsequent storage loss without quantifying the Undesirable Results that are occurring.** The only Adaptive Management action under consideration is to adjust the SC to allow for further overdraft without triggering the Undesirable Results threshold. This is not a path to sustainability and cannot be considered an adequate response to DWR's noted deficiency #1.
2. Groundwater Dependent Ecosystems (GDEs) continue to degrade and are inadequately recognized or protected. Measured and modeled groundwater elevations are predicted to continue to decline further with this Plan, as it allows for the continued dewatering of the aquifer. **The new Interconnected Surface Water (ISW) monitoring network is insufficient to even identify these riparian resources or any of the beneficial users that depend on them.** This is not an adequate solution for DWR's noted deficiency #2.
3. A one time measurement for arsenic and nitrates will not be sufficient for the GSA to assess whether groundwater quality degradation is occurring now or throughout the implementation horizon of the GSP. Nothing is being done to address data gaps preventing better understanding of **water quality trends occurring over time as constituents of concern may migrate into the main valley of depressed groundwater elevations.** This is an uninformative adjustment to the GSP and does not address deficiency #3.

4. The GSP recognizes that some areas outside of the Central Management Area (CMA) are out of balance, but it still lacks a Pumping Reduction Management Plan to address the issue. **Allowing the Northwestern Region to dewater by over 150' is clearly unmitigated overdraft.** DWRs deficiency #4 simply asks how this GSA can justify continued overdraft without recognising the Undesirable Results?

Following are detailed comments on the issues of concern:

### **#1: Inadequate Sustainability Criteria**

The determination letter from DWR found that the Plan “*does not provide an explanation for the specific significant and unreasonable condition(s) that the GSA intends to avoid in the Basin through implementation of the GSP (e.g., a level of impact to well infrastructure or to environmental uses)*”. This Plan still does not recognize any of the Undesirable Results that have been experienced in the Cuyama for many decades. Groundwater elevations in the central area have dropped over 400' and the Cuyama River has stopped flowing out of the valley, many Cottonwoods and Willows are recently dead and still standing, shallow domestic wells have gone dry and the aridification of the landscape has degraded the air quality and quality of life for all of Cuyama.

Although hydrologically unique subregions of the Basin were used to develop the rationale for setting the Sustainability Criteria (SC). The Undesirable Results (UR) of overdraft were all (for 6 of the 7 UR) determined to occur when 30% of the basin-wide Representative Monitoring Wells fell below their Minimum Thresholds for more than 24 months. W&C suggested this was a reasonable calculation and that it was being used by other developing GSP's. However, no rationale was given for why this calculation was better than any other number or how minimum thresholds may affect the interests of beneficial uses and users of groundwater or land uses and property interests.

**Currently 49% (24 out of 49) of the Representative Monitoring Wells have exceeded their MTs.** W&C has conceded that the measurement to be taken next Spring 2023 will likely trigger Undesirable Results, just 36 months after the GSP was first adopted. Most wells in the CMA are at their seasonal historic lowest. An Adaptive Management Ad hoc Committee (led by both Grimmway & Bolthouse representatives) has agreed to consider two actions: Revise Undesirable Results Trigger and Revise Minimum Thresholds. There is no consideration to address the over-extraction with targeted pumping reductions or to accelerate the 'glide path' of 'increased diminishment' of pumping.

In an effort to answer Deficiency #1, W&C ran a modeled analysis of MTs across the basin that looked at the effect if all wells were brought down to their MTs. However this approach was flawed by the fact that almost half of the Representative Monitoring wells are already below their MTs and were **raised up to their Minimum Thresholds** for this theoretical scenario. With this imaginary scenario the model predicted that 5 wells would go dry, including domestic wells that serve several households in a disadvantaged community. It then concluded that this was somehow neither a significant or unreasonable outcome. Were the interests of these other stakeholder groups' actually considered when undesirable results were defined? In spite of W&C's remote perception, we who live in this valley disagree and hold that this would be a significant and unacceptable outcome.

The Stakeholders Advisory Committee (SAC) has been active with the participation of engaged community members at every meeting, but their recommendations have for the most part been disregarded by the GSA. This GSA is unwilling to recognize or respond adequately to the immediate need to reduce the chronic overdraft in this basin. The GSP does not even name the Undesirable Results that are occurring, and have for many years been occurring, due to the unsustainable irrigation practices in the Central Region.

I will name here just a few of the chronic results being experienced by those living in Cuyama: aridification of the environment, desertification of the natural ecosystems, groundwater inaccessibility for small farms and domestic users, declining water quality, dusty air quality, degraded residential livelihoods and property values, loss of ecosystem habitat and the beneficial services of their associated biology.

The problem with the GSP is that it is managing for depletion, not sustainability. The Modeled results of the Analysis show that DWRs Deficiency #1 has not been resolved.

## **#2: Groundwater Dependent Ecosystems**

The GSA has made very little effort towards investigating the fragile wetlands that remain in the Basin. Grant funds have been secured for installing four Piezometers, however no specific potential wetland sites have been identified. Desktop analysis of remotely sensed data was used to eliminate almost all potential GDEs, but even those that do remain are just polygons on a map and are unknown to the consultants or staff of the GSA. The longer this is delayed the less there is to identify, monitor and protect.

In the attempt to satisfy the CDWRs noted deficiency, the Amended Plan creates a subset of the general Monitoring Network wells as a distinct Monitoring Network for ISWs. However, most of these wells are unsuitable for measuring ISWs due to being deep wells with unknown screening depths. Very few are suitably shallow enough to monitor ISWs, and no Representative Monitoring Well have been designated or located in the gaining reaches of the upper Cuyama near Ventucopa. One well (Opti well 2) has not been measured since the plan was adopted, another (Opti well 906) is almost 2 miles away from the river channel.

The new ISW Monitoring Network is only a subset of an already insufficient data set and will not improve the monitoring resolution over current conditions and already more than 30% (3 of 9) of the new ISW Monitoring Network Wells are currently below their MTs.

Section 354.16 (g) requires the '*Identification of groundwater dependent ecosystems within the basin*'. This has yet to commence.

We recommend an adequate biological assessment and evaluation (not remote analysis) be done on the ground and/or by drone to identify existing ISWs and GDEs. SGMA requires an adequate inclusion of their water needs in the water budget. Recent funding for a handful of Monitoring tools (piezometers) with no idea where to put them is not adequate protection for GDEs or ISWs. The current Sustainable Management Criteria (SMC) (minimum thresholds) cannot be expected to protect these remaining ISWs and GDEs which are expected to experience ongoing declining groundwater elevations.

Consequently, DWRs Deficiency #2 is unresolved as the ongoing Undesirable Results can be expected to continue with the loss of instream flow and the drying of some of the last wetlands in the Northwestern Region.

### **#3: Groundwater Quality Monitoring**

Section 354.34, 4 of the GSP Regulations in the Water Code requires that the GSA "*Collect sufficient spatial and temporal data from each applicable principal aquifer to determine groundwater quality trends for water quality indicators to address known water quality issues.*"

The GSP has neither committed to any ongoing monitoring for arsenic and nitrate trends nor provided any thorough, evidence-based analysis or description for why continued groundwater extraction is not likely to cause significant and unreasonable degradation of groundwater by increasing concentrations of those constituents. This GSA has been determined not to investigate the issues of Water Quality in the Basin. The re-submitted GSP allows for measuring arsenic and nitrate once and may help to set a baseline for these known constituents of concern, but it fails to monitor for any trends caused by the movement of groundwater due to over extraction.

The last Groundwater Quality study done was by the USGS in 2015. Please see Appendix A: Water Quality & Chemistry Summary from USGS Studies and Future Conditions Scenario Review for Cuyama Valley by Randall Hanson, author of the USGS Cuyama Studies. "*Trends indicated that the water quality has been poor historically and showed no indicators of improvement with continued water-level declines. Water quality could be slightly deteriorating with the addition of nitrates and other anthropogenic contaminants and the mobilization of natural contaminants such as sulfate, arsenic, and chromium. An exception to this poor quality is in the Ventucopa area, where local recharge has historically created a small area of relatively better-quality water.*"

A similar water quality analysis could help fill multiple data gaps to understanding the groundwater basin and has been encouraged by several stakeholders, including age dating,

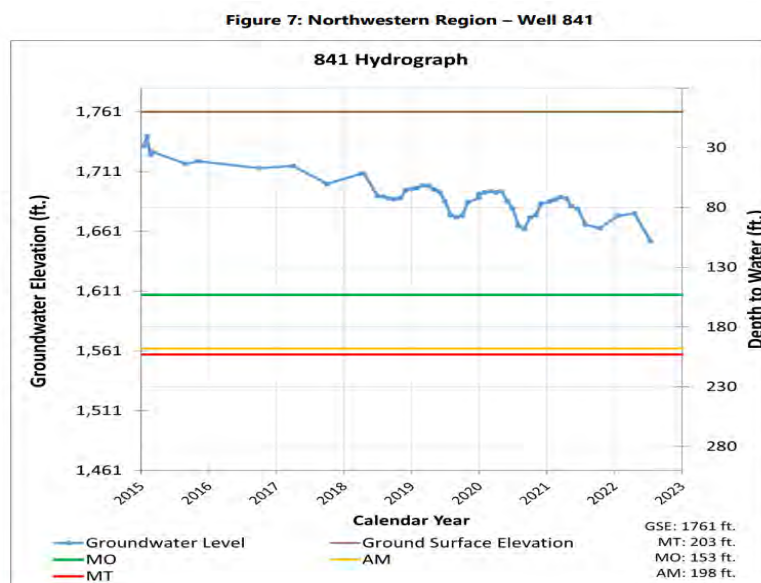
temperature, and full spectrum analysis of the total dissolved solids. These Data Gaps continue to be an obstacle to a more complete understanding of the Groundwater Conditions in this Basin. DWR was adamant in its Deficiency #3, that this concern be addressed with a more robust monitoring network. This has not happened.

#### **#4: Justification for Unmitigated Overdraft**

The “Glide Path” of the increased pumping reductions for the Central Management Area (CMA) over 18 years represents the most decisive commitment this GSP has made towards achieving sustainability, reducing extraction each year by a prescribed % toward a calculated Sustainable Yield. However, this remains frustrated by the general lack of confidence in the Model that calculates the Sustainable Yield. The data gaps continue to hamper decision makers and delay any meaningful Adaptive Management actions.

The Hydrological Model was updated this summer and has changed many of the numbers being used to decide Management Areas. This update removed the previous Management Area from the Ventucopa area because of pump test evidence that indicated a much greater conductivity in that region, south of the Santa Barbara Canyon Fault. North of the SBC Fault the groundwater drops from 150’ down to 600’ below the surface within ¼ mile, into the CMA.

The SC in the Northwest Region however, will clearly allow for overdraft and the loss of significant groundwater storage if groundwater elevations are allowed to drop 150’ before triggering any Undesirable Results. Due to the new 900 acre vineyard development in this formerly unirrigated rangeland region Opti well 841 has dropped 80’ in the last 7 years, yet somehow this does not trigger the algorithm for predicting a drawdown of greater than 2’ in 50 years. (See Hydrograph for well 841)



SGMA establishes 2015 as a “baseline” for sustainability. What has happened since then?

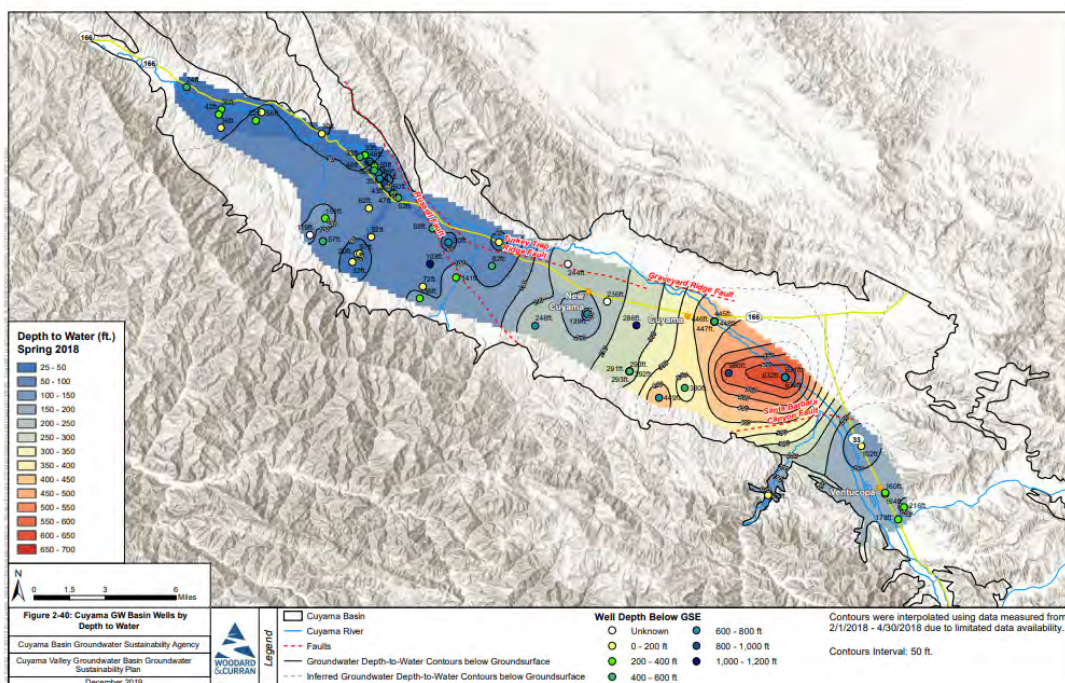


In a basin that is so obviously suffering from unsustainable groundwater conditions, it is not appropriate to set Measurable Objectives (let alone Minimum Thresholds) at groundwater elevations significantly BELOW 2015 levels.

The modeling analysis of the Northwestern region on the Groundwater Levels Minimum Thresholds found that **there would be negative impacts to Interconnected Surface Waters (ISW) and Groundwater Dependent Ecosystems (GDE)** if MTs were exceeded. How is that not an Undesirable Result to the last gaining reach of the lower Cuyama River?

The model is still unable to connect the production wells with the fields that they irrigate. Water is regulated by volume at the wellhead, based on self-reporting of the previous year's monthly flow meter report. However the allocations and the subsequent reductions are issued to the irrigated parcel by APN, based on estimated historical land use. The Model must erroneously assume that the applied water just comes up from right under the land being irrigated. Efforts are underway to understand the 'Farm Units' that include all APNs with their wells and conveyances by property owners. This may be available by the next model update in 2025.

Meanwhile the issue of how to manage overdraft that is happening outside of the CMA is unavoidably complicated by regional variations in water availability and differences in land use. All mapped groundwater images show the concentration of overdraft in selective regions with unsustainable irrigation practices. Much of the Valley is rangeland using less than 1 inch per acre for cattle, and never have been part of the problem. The overdraft issues are localized. See the 500' deep drain in Fig. 2-40 from the GSP.



Constructive suggestions from the SAC and public to consider a scaled or tiered approach to administering the allocation of fees or pumping reductions have gone unheeded. **The GSA has explored no alternatives to a universally punitive approach with no incentive for water wise conservation or recognition of the responsibility of the long-term unsustainable over-draft. In fact this GSP aims to reward allocations based on their unsustainable historic abuse of the groundwater, which can only lead to the diminished vitality of the rest of this disadvantaged community.**

The efforts made by this GSA to satisfy the deficiencies noted by the DWR have not resolved the issues and can not be considered as adequately complete. Undesirable Results remain undefined, ISWs are predicted to degrade, water quality questions remain unanswered, and significant loss of groundwater storage in the Northwestern region is permitted.

### **Recommendation**

In conclusion, when every seasonal groundwater elevation measurement is the historic low of a long-term steady and predictable trend, and when the few powerful entities in control of that chronic over-pumping are disinclined to the self-restraint required of SGMA, a responsive outcome should not be expected. This Plan is designed to fail at the point of self-regulation.

From our perspective as stakeholders there is a conceivable pathway to achieve groundwater sustainability. The GSA board and the Cuyama Basin Water District would need to recognize their conflicts of interests and restructure themselves to represent all the beneficial users in the valley. This will require the DWR to compel the GSA to enact these recommendations or else refer to the State Water Resource Control Board for enforceable action.

**Public Comment to CDWR**

To:  
Craig Altare  
Supervising Engineering Geologist  
California Department of Water Resources  
901 P St, Room 213  
Sacramento, CA 94236

September 19, 2022

Dear Mr. Altare,  
Thank you for allowing me to express my critical concerns regarding the Groundwater Sustainability Plan (GSP) re-submitted July 18, 2022 by the Cuyama Valley Groundwater Sustainable Agency (GSA).

**General Comments:**

I have lived in the Cuyama Valley for 6 years. I am an artist and teacher with a scientific background, concern for the environment and the people of the Cuyama Valley. I have attended the GSA meetings since the beginning of the process begun by SGMA. I also attended Waterboard meetings; but then I found the Stakeholders (Standing) Advisory Committee meetings more informative. I have attended them regularly. They represent those in the community most interested in sustainable water use. It has no vote in the GSA. Interestingly, the GSA never accepted ANY of the SAC's suggestions, except technical corrections, i.e. spelling, etc. in the writing of the GSP.

The GSA's plan largely followed the desires of the two largest growers in the central valley of Cuyama, which growers own or lease the largest amount of land for agriculture. That land has been the most severely overdraft land for years. This is common knowledge; but no laws have been in place to prohibit it. And the large growers would not share their data with the USGS (US Geological Survey) in 2015 when research was done in hopes of remedying the overdraft situation. Also these large growers have been taking ancient water from deep wells, causing the water throughout the valley to retreat from the surface and to become contaminated with dangerous and foul tasting minerals. This has not been addressed by the GSP.

The present GSP seriously endangers the Groundwater Sustainable Ecosystems (GSEs) in the valley. The GSA failed to accept the number of acres of GSE's in the valley as established by the Nature Conservancy and shows little or no concern with their future. The GSE's are the home of native plants, animals and trees and still hold the life and vibrancy that once existed, before the years of over pumping, throughout the Cuyama Valley.

Now we have SGMA. The Groundwater Sustainability Plan, which the GSA has written, is supposed to solve the problem of over drafting in the Cuyama Valley. It is supposed to take in to account the water quality and needs of the local community, one of the 21 most severely water over drafted communities in California. But the GSA seems to have been delaying cut back on water usage by agriculture as long as possible, declaring insufficient data, not solving the problem.

The present GSP will allow over pumping to continue too long, further depleting the remaining GSE's and the remaining water in the Cuyama Valley. This is not acceptable. Minimum Thresholds for monitored wells have been set; but if the water in those wells remains below

those thresholds, no acceptable timely action has been established for remedy. Changing the minimum thresholds, lowering them further to hide a problem, is not acceptable.

SGMA isn't requiring return to the earlier water levels of 50 years ago, but insists on a plan that will arrive at sustainability in the Cuyama Valley by 2040. But what does sustainability really mean? In 2015 the Cuyama Valley was already seriously over drafted. The present plan is not even hoping to return to 2015 levels of over drafting! How is this solving our problem of arriving at sustainability?

Although, as I've stated, it is common knowledge that the large growers in the central area of the Cuyama Valley are the greaest over drafters, the newly created Waterboard, all of whose members sit on the GSA, voted to have all the valley pay the cost of over drafting. Water will be more expensive for all. This will be a strain on the small growers who live in the Cuyama Valley. Those who farm will pay a high price per acre foot for water use. I'm not sure about diminimus users. Previously one could pump whatever he needed from wells on his own land. Those who have long been farming using the best possible techniques to conserve water will end up paying for water meters and paying high water prices because of the over pumping and wasteful practices of others.

DWR (the Department of Water Resources) has found the GSP (the plan) inadequate; because it is. The new Waterboard paid a large price (which it is passing on to the community) to have research done that repeated and was to expand the USGS research to which the large growers earlier refused to contribute. The GSA has dragged things out now for years, due to the dominant power of the large growers. The plan which Woodard and Curren has created, at the GSA's direction, does not provide justice for those who live, work and farm in the valley.

Now the two large growers have turned to Adjudication to try to get the courts to give them what they want: the right to the largest amount of water in the Cuyama Valley. They have over drafted for years and now seem to claim the wright to continue to use the largest amount of water in the valley. They have sued all the water users in the valley for this process, causing everyone to have to lawyer-up to assure they retain their water wrights. This puts a serious strain on all smaller growers and on Cuyama Valley community members in general, putting them all at financial risk. And forcing them to pay and plan now for an unknowable future.

Nothing that the large growers have done is illegal. It is unjust and detrimental to the people and the environment of the Cuyama Valley. It is similar to what some absentee landlords do to their tenants if the landlord is only concerned for profit and not the wellbeing of the people under his care. The two largest growers, Bolthouse and Grimmway:

1. Have their headquarters in Bakersfield
2. Bring their workers in from Bakersfield
3. Do not use their profits within the Cuyama Valley
4. Do not benefit the Cuyama Valley environment, water and people.

Suggested solution (in an ideal society): the large growers (two of the largest in the country), if they are ethical organizations, would offer to freely pay a large penalty for the damage they have done over the years; and the Waterboard, on which they also sit, would then reduce the cost of water per acre foot for all in the valley to a more reasonable amount. The penalty money could go to Ventucopa, Cuyama and New Cuyama for necessary improvements to their water systems, schools, community programs and development, etc. This just solution would make water users more likely to properly report their accurate water use. An overseer of financial usage of the penalty money could be established by the GSA with the input of the SAC (with

voting rights)

Sue Blackshear  
Cuyama Valley resident  
Quail Springs Permaculture  
by Ventucopa, CA 93252



September 19, 2022

VIA EMAIL

CRAIG ALTARE  
Supervising Engineering Geologist  
California Department of Water Resources  
901 P Street, Room 213  
Sacramento, CA 94236

**Re: Cuyama Basin Groundwater Sustainability Plan**

Dear Mr. Altare:

**INTRODUCTION**

Bolthouse Land Company, LLC ("BLC") has participated in good faith in the Groundwater Sustainability Agency ("GSA") process and the attempts to develop a Groundwater Sustainability Plan ("GSP") which meets State requirements to achieve sustainability pursuant to the Sustainable Groundwater Management Act ("SGMA"). BLC raised concerns throughout this process related to the creation of the GSP to be submitted to the California Department of Water Resources ("DWR") and lodged the attached Public Comment Letter outlining said concerns with the GSA on November 6, 2019. These concerns were not adequately addressed in the GSP and the GSP was submitted to the DWR despite these concerns. On January 21, 2022, the DWR determined that the GSP submitted by the GSA does not meet the requirements of SGMA. Because the plan does not achieve sustainability in a hydrologically and legally appropriate manner, BLC continues to object to the GSP, as submitted and subsequently revised.

**THE DEPARTMENT OF WATER RESOURCES DETERMINED THAT THE  
GSP DOES NOT ACHIEVE SUSTAINABILITY**

DWR correspondence dated January 21, 2022, determined that the GSP is "incomplete", and concluded:

"...[the] GSP does not satisfy the objectives of the Sustainable Management Act (SGMA) nor substantially comply with the GSP Regulations." And, among other deficiencies, that:

"The GSP does not provide sufficient explanation for how overdraft will be mitigated in the basin. Two primary management areas are identified by the

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GSA to continue experiencing declines in groundwater in storage, but the GSA only intends to reduce groundwater pumping in one of those management areas. The GSP does not explain how continued overdraft in the remaining management area would be mitigated through projects and actions. Additionally, an area of the basin that was not identified as a management area (the Northwestern Threshold region) was, nonetheless, projected to experience more than 140' of groundwater level decline, relative to 2015, during implementation of the GSP. The GSP did not describe how the apparently allowable overdraft in this region would affect beneficial uses and users of groundwater and avoid undesirable results."

### **THE GSP IS HYDROLOGICALLY AND LEGALLY INAPPROPRIATE**

The DWR has identified the Cuyama Groundwater Basin (the "Basin") as "one of 21 basins and subbasins identified by the State as being in a state of critical overdraft", requiring preparation of a GSP to comply with SGMA. Hydrologically, evaluation and correction of overdraft requires a water balance analysis of the entire groundwater basin to determine the sustainable yield of the basin. California groundwater law also requires this analysis. To correct the overdraft, pumping reductions are necessary to align pumping with the sustainable/safe yield of the Basin. Pumping reductions resulting in pumping allocations must recognize priority rights and be consistent with California groundwater law which recognizes that the groundwater rights of overlying landowners are of equal priority and are shared correlatively on an equal basis.

The GSP fails to achieve sustainability in a hydrologically and legally appropriate manner. Some of the inadequacies of the GSP are summarized in bullet points below.

- 1) The proposed plan treats the Central Management Area ("CMA") as a "subbasin" for allocation purposes by creating a separate "sustainable yield" for the CMA. The separate and distinct sustainable yields for the CMA and the Basin are inconsistent because the DWR previously defined the Cuyama Basin as a *single* basin pursuant to Bulletin 118.
- 2) The GSP does not achieve sustainability since the pumping reductions identified in the GSP are not sufficient to reduce pumping to the safe/sustainable yield of the Basin.
- 3) The pumping reductions do not require pumping reductions throughout the entire Basin to limit pumping to the safe/sustainable yield of the Basin.
- 4) The pumping reductions do not treat overlying landowners within the Basin equally.
- 5) The pumping reductions apply only to landowners in one limited area of the Basin.

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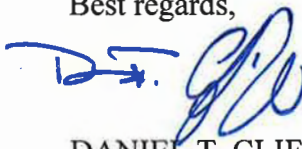
- 6) The sustainable/safe yield has had insufficient hydrogeologic analysis and suffers from significant data gaps and conclusions without appropriate data and sufficient information.
- 7) There is no agreement to Basin-wide reductions.
- 8) There is no determination of the methodology to determine pumping allocations e.g. historic use, irrigated acres, etc.
- 9) There is no agreement that all landowners will cut back their pumping equally.
- 10) There is no agreement regarding ramp-down timing and amounts of pumping during the ramp-down for the Basin as a whole.
- 11) The cost of projects and actions to protect the entire Basin is borne primarily by parties in one area of the Basin and not shared by all water users in the Basin.
- 12) The GSP improperly attempts to alter or determine groundwater rights inconsistent with Water Code Section 10720.5(b) et. sec.

### CONCLUSION

Bolthouse has continually cooperated in the GSA attempts to create a scientifically and legally appropriate GSP. Unfortunately, the GSP submitted by the GSA does not achieve sustainability, is hydrologically and legally inappropriate and has not been accepted by the DWR. Therefore, Bolthouse continues to object to the GSP in its current and amended form and requests that the GSP be amended to correct the deficiencies addressed above along with the other deficiencies identified by the DWR.

Thank you for your consideration of these comments.

Best regards,



DANIEL T. CLIFFORD  
Bolthouse Land Company, LLC

DTC:nv

cc: Richard Zimmer  
Taylor Blakeslee



**Comment 8:**

Kasia Shebloski (9-19-22)

I am a farmer who resides in the Cuyama Valley, committed to regenerative food cultivation and community. My team and I dedicate ourselves to supporting thriving life in the community garden adjacent to the Family Resource Center in New Cuyama where families work together to grow ancestral food, feeding both their children and their inspiration. As I drive to this garden along the HWY 33 and 166, all I see are industrial farming projects mostly carrots across miles. I have not yet seen these carrots sold at the one and only grocery store in the valley. In fact the average Cuyama must travel between 30-60 miles to access substantial groceries. How is this sustainable, or just?

For decades the water pumped to grow these exported crops has been critically over drafted. Groundwater elevations in the central area have dropped over 400 acres and the Cuyama River has stopped flowing out of the valley. Fragile wetlands, Cottonwoods, and Willows and their associated ecosystems are recently dead and still standing, shallow domestic wells have gone dry and the aridification of the landscape has degraded the air quality and quality of life for all of Cuyama. The amended Groundwater Sustainability Plan (GSP) is insufficient in addressing and planning to restore the devastating losses this valley has and continues to endure.

This Cuyama Basin Groundwater Sustainability Agency (GSA) is unable to either recognize or respond adequately to the immediate need to reduce the chronic overdraft. It cannot even name the Undesirable Results that are occurring, and have for many years been occurring, due to the unsustainable irrigation practices in the Central Region. Calculations for Representative Monitoring Wells, and propositions to [revise] undesirable results triggers and [revise] minimum thresholds simply avoid any consideration to reduce the over-extraction with targeted pumping reductions. The problem with the GSP is that it is managing for depletion, not sustainability.

The GSA has delayed investigation of the wetland that remains in the Basin. The longer it is avoided, the less there will be to identify and protect. The proposed subset of Monitoring Network wells are unsuitable for measuring surface water as faulty and far-off wells. More than 30% are already below their minimum thresholds. Current measurements are at a historic low, especially in the northwest region, which is expected to experience ongoing declining groundwater elevations. We need adequate biological assessments and evaluation LOCALLY and urgently.

As water is heavily extracted and disappearing, so does the quality of what remains. The GSP has neither committed to any ongoing monitoring for arsenic and nitrate trends nor provided any thorough, evidence-based analysis and description for why continued groundwater extraction is not likely to cause significant and unreasonable degradation of groundwater by increasing concentrations of those constituents. This GSA has been determined not to address the issue of Water Quality in the Basin. This negligence directly hurts the disadvantaged community of the Cuyama Valley.

Large growers in the central area of the Cuyama Valley who are the greatest over drafters, whose members sit on the GSA, expect the rest of the valley to pay the cost of their over drafting; turning to Adjudication to continue the extraction and their unjustified power, forcing smaller farmers of the valley to pay a high price. THIS is an undesirable result.

I urge the DRW to address the inadequacies of the amended GSP before our water vanishes and our community suffer from the dire and present desertification of this Valley.

**Comment 9:**

Joli (9-19-22)

As a resident of the Cuyama Valley who is witnessing the detrimental impact of continual groundwater overdraft, this bears repeating:

1. The Sustainability Criteria (SC) of this GSP do not quantify the specific significant and unreasonable condition(s) that the GSA intends to avoid in the Basin. The GSP, using these SC, allows for continued overdraft and subsequent storage loss without quantifying the Undesirable Results that are occurring. The only Adaptive Management action under consideration is to adjust the SC to allow for further overdraft without triggering the Undesirable Results threshold. This is not a path to sustainability and cannot be considered an adequate response to DWRs noted deficiency #1.
2. Groundwater Dependent Ecosystems (GDEs) continue to degrade and are inadequately recognized or protected. Measured and modeled groundwater elevations are predicted to continue to decline further with this Plan, as it allows for the continued dewatering of the aquifer. The new Interconnected Surface Water (ISW) monitoring network is insufficient to even identify these riparian resources or any of the beneficial users that depend on them. This is not an adequate solution for DWRs noted deficiency #2.
3. A onetime measurement for arsenic and nitrates will not be sufficient for the GSA to assess whether groundwater quality degradation is occurring now or throughout the implementation horizon of the GSP. Nothing is being done to address data gaps preventing better understanding of water quality trends occurring over time as constituents of concern may migrate into the main valley of depressed groundwater elevations. This is an uninformative adjustment to the GSP and does not address deficiency #3.
4. The GSP recognizes that some areas outside of the Central Management Area (CMA) are out of balance, but it still lacks a Pumping Reduction Management Plan to address the issue. Allowing the Northwestern Region to dewater by over 150 is clearly unmitigated overdraft. DWRs deficiency #4 simply asks how this GSA can justify continued overdraft without recognizing the Undesirable Results?

**Comment 10:**

Rachel Higgins (9-19-22)

I live and work on a small farm in the Cuyama Valley and I speak as a de minimis user. My grandparents were Kansas farmers who barely survived during the Dust Bowl of the 1930s. Despite all the resources we now possess to stop the many undesirable results that we currently face, a dust bowl is the very real future we may leave for our children. I am very concerned that this GSP remains inadequate to achieve sustainability. I respect the hard work the GSA has done to collect more data and I agree this science and documentation is important. And yet, you don't need a weatherman to know which way the wind blows.

The increasing aridification of our region is quite real and evident now. Yet this GSP tip-toes around undesirable results while allowing overdraft to continue based on the current and shifting Sustainability Criteria. This amended GSP still does not sufficiently address Groundwater Dependent Ecosystems, or important groundwater quality deficiencies. No amount of data collection, consulting firms, or lawsuits will cover up the obvious and undeniable fact that our critically over drafted basin is due to the irresponsible farming practices of industrial farmers that have been sucking the basin dry for decades, well beyond our groundwater aquifers capacity for replenishment. That has to change. We don't have time to waste to save the ecosystems and the disadvantaged communities that face the urgent threat of desertification. The cottonwoods and willows are dying NOW, the wetlands have almost all dried up. The abuse of our resources based on historical use cannot be the excuse used to override the beneficial use of all users particularly disadvantaged communities, our fragile ecosystem, rapidly disappearing riparian habitat, and any hope for future generations. By 2040 there won't be water left.

The unsustainable practices of industrial farms are incompatible even with the Sustainability Plan that those very growers help to write. Our current GSP is already failing by the standard the GSA themselves set, with over 40% of monitoring wells already below minimum thresholds. Every current level is a historic low. I am concerned that stalling, moving the goalposts, and litigation seem to be the new strategy here. I see no clear plan for how the GSP will actually restrict pumping enough to achieve the sustainability we urgently need.

This plan is not equitable. Largest pumpers keeping the largest share while allowing shallow wells to go dry, small farmers and residents losing all access to water is not acceptable. New Cuyama already has some of the most expensive water in California. How are residents in this disadvantaged community expected to keep desperately needed shade trees alive, grow a small garden, or even afford to buy the very carrots grown in this food desert? Furthermore, the GSP concedes only one water quality test to measure levels of arsenic and nitrates; this is not sufficient monitoring. I can imagine why industrial growers don't want documentation of how much fertilizer they've spilled, or how Cuyama groundwater contains arsenic above safe levels, or any evidence that these concentrations are made worse by groundwater depletion. This is another major problem that has not been adequately addressed by the GSP. I urge DWR to address all of these inadequacies before it is too late.

**Comment 11:**

Quail Springs, Lauren (9-19-22)

Hello,

My name is Lauren and I am a local farmer who also works at a restaurant in the Valley. As someone who interacts with a lot of community members, I can tell you that the GSP does not reflect what is wanted and needed by the people. It is also very clear that the adjudication suit was filed by the two entities causing the most harm and taking the most water, Grimmway and Bolthouse. Who unsurprisingly, hold leadership roles on both the GSA and the Cuyama Basin Water District, which is why the GSP reflects their desires for profit and not the health of the land nor people.

Week after week, I hear stories of what this valley was like before agriculture took over. Stories of huge flocks of quails, so large it looked as though the mountains moved. I hear stories of the water flowing through the Cuyama river. The swamp that used to flourish in New Cuyama. Sad that I, nor any of our children will be able to experience that beauty because of the 1000 plus gallons of water a minute being thrown into the air to grow carrots. With the GSP as is, our children will not be able to survive here.

To truly achieve groundwater sustainability, we cannot allow huge companies to pump like they have been, even if it's their historical usage. It was never their water to begin with. With the plan as it is, the Groundwater Dependent Ecosystems are going to continue to decline.

When you look around the valley you can clearly see the negative effects this kind of water usage is having on life here. I am shocked when I hear from long term residents of the beauty and life this valley used to be. And the beauty and life of this land is still possible and thriving especially in places where sustainability is not contingent on capitalist demands. Where I work and live, we don't need to use groundwater for our crops, surface water can still be used to grow our crops due to the sustainable relationship to the spring on site.

All I have to say is there are other ways to survive in this world and other ways of farming and feeding people than this. If we keep going as this plan allows, we will not have any water left and water is life.

**Comment 12:**

Haris Mesic (9-19-22)

As a resident, farmer, and citizen of this great State, this sustainability plan scares me. Over and over we are given examples of the governing bodies prioritizing the profit margins of large corporations which have very little stake in the lives and livelihoods of people who live on the lands they extract their wealth from. This pattern leads to a hopelessness amongst the younger generation and as a State that in many ways leads the nation in progressive thinking, sets a low example for the rest of the nation.

This sustainability plan seems obviously anything but that, with many of the thresholds already having been crossed. It does not work towards a future of fertility and abundance for children of generations. We need stand up for the people as a whole, which you represent, and stop prioritizing quick profits for a small wealthy minority.

**Comment 13:**

Herbalist, Aris Romero (9-19-22)

Groundwater dependent ecosystems (GDEs) continue to degrade and are inadequately recognized or protected. Measured and modeled groundwater elevations are forecast to continue to decline further under this Plan as it allows for continued depletion of the aquifer. The new Interconnected Surface Water (ISW) monitoring network is insufficient to identify these riparian resources or any of the beneficial users that depend on them. This is not a suitable solution.

**Comment 14:**

Jessica Keller (9-19-22)

I live in the Cuyama Valley, and I am writing to express concern regarding the GSP for the Cuyama Basin. The DWR has found the previously submitted GSP to be inadequate due to its lack of explanation for the specific significant and unreasonable condition(s) that the GSA intends to avoid in the Basin through implementation of the GSP. Without a doubt, this remains to be true. The two largest growers/water extractors in the Valley, Grimmway and Bolthouse, are members of the GSA, which presents a significant conflict of interest. These large corporations are abusing their power with nefarious legal tactics that eclipse all other voices with legitimate concerns.

It is my hope that the smoke and mirrors do not obscure what is abundantly clear, that the Basin continues to be over drafted year after year. This water simply will not be replenished any time in the near future. The actions of irresponsible agriculture are not without consequence, and these consequences are not far off possibilities. The effects are being felt NOW. The Cuyama River no longer flows. The related riparian habitats are dying, particularly willow and cottonwood trees that provide

invaluable services to our ecosystem. The harmful environmental effects of desertification related to the diminishing of the groundwater basin by 400 feet (and continuing to drop) are absolutely devastating.

Further, domestic wells have begun to and continue to run dry, presenting a serious equity issue for the already underserved community of the Cuyama Valley. The need to purchase increasingly expensive water is a financial burden for a community that already experiences food insecurity and insufficient socioeconomic opportunity.

Allowing powerful corporations to unfairly abuse finite resources benefits few and harms many. I urge the DWR to respond to the shortsighted efforts of irresponsible industrial farms with equity and environmental sustainability in mind. Alternatives to this destructive form of agriculture exist, such as dry farming crops that are adapted to arid climates (NOT carrots). We must think of future generations in Cuyama Valley and in the state of California. We must act now to put the brakes on these current practices and invest in economies that benefit all living beings. Thank you for allowing public comment and taking the time to hear our feedback.

**Comment 15:**

Kayla (9-19-22)

I am a person living in the Cuyama Valley. The GSP is insufficient. It seems like this is purposeful to keep pumping without accountability to the detriment of all water users. Does the state want dead land (for carrots) or a thriving ecosystem for all? Here are the issues with the GSP that I see:

-Reaching sustainability by 2040 is too late: We cannot afford to lose more groundwater than we already have. Every day that wells are used, the water table lowers. If we expect the wells to reduce their drawing by 2040 (technically 2038), the water tables will be even lower than the already unacceptable levels they are at currently.

Sustainability is defined as not extracting more than is recharged, so even if the plan were successful the water table would remain at its critically over drafted, historical low. There is no regeneration envisioned in this plan.

-The plan does not define in specific terms the undesirable results of over drafting in the basin. We call for a description of the impacts that include continuing desertification, increasingly lower groundwater levels, making the cost of domestic water pumping even more expensive or outright impossible for residents, desiccation of the few remaining natural springs, loss of key living organisms such as cottonwood and willow, the physical collapse of underground aquifer storage, subsidence and sinkholes, hotter/dustier climate contributing to respiratory illnesses. These PROBLEMS have been documented for over 50 years yet this GSP cannot seem to describe or define them. EQUITABLE water usage by the largest landowners, AKA Bolthouse and Grimmway, could mitigate these problems.

-GSP has unjustifiable thresholds for monitoring groundwater conditions. The GSP identifies 49 Representative Monitoring Wells and determined that if 30% of them have been below their Minimum Threshold for 24 months then "Undesirable Results of Overdraft" would ensue. These thresholds are ARBITRARY and insufficient. This seems meant to happen because by April 2023 those thresholds will already have been surpassed anyways.

-Insufficient monitoring of water quality: The GSP does not have a plan to adequately collect data about the quality of water in the Cuyama valley, despite having notoriously unsafe drinking water with high levels of Arsenic and Nitrates. In the plan, they will only test ONE time for Arsenic and Nitrates on all the water monitoring wells. This is not enough data to properly determine a baseline of water quality and whether it is being impacted by the overdraft. The GSA claims that this is not their domain and that there are other agencies to do this. However, in over drafting in the Cuyama basin, the water table is pulled down in a cone of depression. When this happens, water from high elevation seeps down into the cone, bringing with it dissolved and dangerous particles. Water quality could be slightly deteriorating with the addition of nitrates and other anthropogenic contaminants and the mobilization of natural contaminants such as sulfate, arsenic, and chromium. - USGS

Therefore, the effects of the over-extraction of groundwater and the groundwater quality can be interrelated. We call for proper monitoring of groundwater quality. The arsenic water scrubber is an economic drain on the New Cuyama community.

-GSP does not consider the impacts of over drafting of groundwater to connected surface water. Groundwater and surface water are connected but the GSP wants to ignore that. We call for more monitoring stations that are properly placed near existing connections to protect these natural ecosystems and the human/animal/plant life they support.

-There is no explanation of how overdraft will be mitigated in the basin. This point speaks for itself. HOW are they going to protect the groundwater (and therefore surface water, drinking water, plant and animal life)? We need specific measures.

**Comment 16:**

Anton Zyngier (9-18-22)

I am a resident, outdoor educator, and gardener living in the Cuyama basin. As someone who works with children in natural settings, the state of water in this basin has critical importance. The Cuyama valley, in 1950, was a marshland fed by groundwater surges. Today, it is a desert. The Plan proposed by the GSA is unacceptable and irresponsible on multiple accounts. It does not properly address over drafting in a timely manner.

The plans timeline is not quick enough. It is already clear that the basin is critically over drafted. In order to preserve our already largely depleted water tables, drastic reductions in pumping need to take place immediately. Instead, the plan takes 20 years for the necessary reductions to take place. By that time, the water situation will be even worse than it already is. This will seriously impact the local inhabitants by making well water even more inaccessible.

This valley is home to communities with high rates of poverty. It is also a place where food is inaccessible. The average Cuyama resident must drive 31-69 miles for groceries, and 63% of Cuyamans spend more than a third of their households monthly budget on food [USDA's National Household Food Acquisition and Purchase Survey]. To allow the water levels to deplete even more will seriously impact residents, and perhaps make life in the valley impossible for anyone except the very wealthy.

Furthermore, the plan defines the Western region as in hydrological balance. Yet there are grape and carrot farms pumping much more water than is being recharged. They spray water into the air at the peak heat hours of the day, when most of the water evaporates before even reaching the ground. It is disgusting. In the Northwestern region, overdraft is expected to lower groundwater levels over 150 acres. How is this considered a hydrological balance?

The plan also fails in that it is reluctant to describe what the outcomes of failure would look like. It simply defines them as undesirable effects. They need to properly describe how this valley might look if it is allowed to be further over drafted. This includes continuing desertification, increasingly lower groundwater levels, making the cost of domestic water pumping even more expensive or outright impossible for residents, desiccation of the few remaining natural springs, loss of key ecosystem species such as cottonwood and willow, the physical collapse of underground aquifer storage, subsidence and sinkholes, hotter dustier climate contributing to respiratory illnesses, etc. This needs to be talked about as a real place where people live, not with technical terms that depersonalize the place. The effects of over drafting are serious and should be viewed as such.

**Comment 17:**

Danielle Mingo (9-15-22)

As a resident of Cuyama Valley, I continue to uplift these 4 major issues of concern:

1. The Sustainability Criteria (SC) of this GSP do not quantify the specific significant and unreasonable condition(s) that the GSA intends to avoid in the Basin. The GSP, using these SC, allows for continued overdraft and subsequent storage loss without quantifying the Undesirable Results that are occurring. The only Adaptive Management action under consideration is to adjust the SC to allow for further overdraft without triggering the Undesirable Results threshold. This is not a path to Sustainability and cannot be considered an adequate response to DWRs noted deficiency #1.
2. Groundwater Dependent Ecosystems (GDEs) continue to degrade and are inadequately recognized or protected. Measured and modeled groundwater elevations are predicted to continue to decline further with this Plan, as it allows for the continued dewatering of the aquifer. The new Interconnected Surface Water (ISW) monitoring network is insufficient to even identify these riparian



resources or any of the beneficial users that depend on them. This is not a real solution for DWRs noted deficiency #2.

3. A one time only measurement for arsenic and nitrates will not be sufficient for the GSA to assess whether groundwater quality degradation for those constituents is occurring throughout the implementation horizon of the GSP. Nothing is being done to address data gaps preventing better understanding of water quality trends occurring over time as constituents of concern may migrate into the main valley of depressed groundwater elevations. This is an uninformative adjustment to the GSP and really does not address deficiency #3.

4. The GSP recognizes that overdraft is happening outside of the Central Management Area (CMA) but still lacks a Pumping Reduction Management Plan to address the issues. Allowing the Northwestern Region to dewater by over 150 acres is clearly unmitigated overdraft. DWRs deficiency #4 simply asks how this GSA can be justifying (allowing?) continued overdraft without triggering Undesirable Results?

**Comment 18:**

Danielle Mingo (7-30-22)

As a resident of Cuyama Valley, I uplift the following requests:

We ask that the DWR reject the current Minimum Thresholds and Measurable Objectives established in the Cuyama Basin GSP for groundwater levels in the Northwestern Region. We suggest that a specific study be conducted that is peer reviewed and published to determine appropriate thresholds for this region. We ask that these important indicators be set at levels that would provide an appropriate trigger to remedy any downward trend in this region before it is too late so that the shallow wells and the [groundwater dependent ecosystems] GDE as in the area are not negatively impacted and actual undesirable results can be prevented.



TO: Board of Directors  
Agenda Item No. 19a

FROM: Brian Van Lienden, Woodard & Curran

DATE: November 2, 2022

SUBJECT: Update on Groundwater Sustainability Plan Activities

**Recommended Motion**

None – information only.

**Discussion**

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Groundwater Sustainability Plan (GSP) activities and consultant Woodard & Curran's (W&C) accomplishments are provided as Attachment 1.

---

# 19a. Update on Groundwater Sustainability Plan Activities

Brian Van Lienden

---

November 2, 2022



# September-October Accomplishments

Brian Van Lienden

- ✓ Developed proposed technical approach to analyze flow across Santa Barbara Canyon and Russell faults
- ✓ Performed modeling analysis of pumping reductions to support adaptive management process related to Basin sustainability criteria
- ✓ Performed technical analyses for management area implementation and non-reporting pumpers identification
- ✓ Continued implementation of DWR grant agreement tasks
- ✓ Developed proposed project list for round 2 grant proposal



TO: Board of Directors  
Agenda Item No. 19b

FROM: Taylor Blakslee, Hallmark Group

DATE: November 2, 2022

SUBJECT: Update on Effort to Identify Potential Non-Reporting Pumpers

**Recommended Motion**

None – information only.

**Discussion**

An update on efforts to identify potential non-reporting pumpers is provided as Attachment 1.

Cuyama Basin Groundwater Sustainability Agency

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# 19b. Update on Effort to Identify Potential Non-Reporting Pumpers

Taylor Blakslee

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**November 2, 2022**

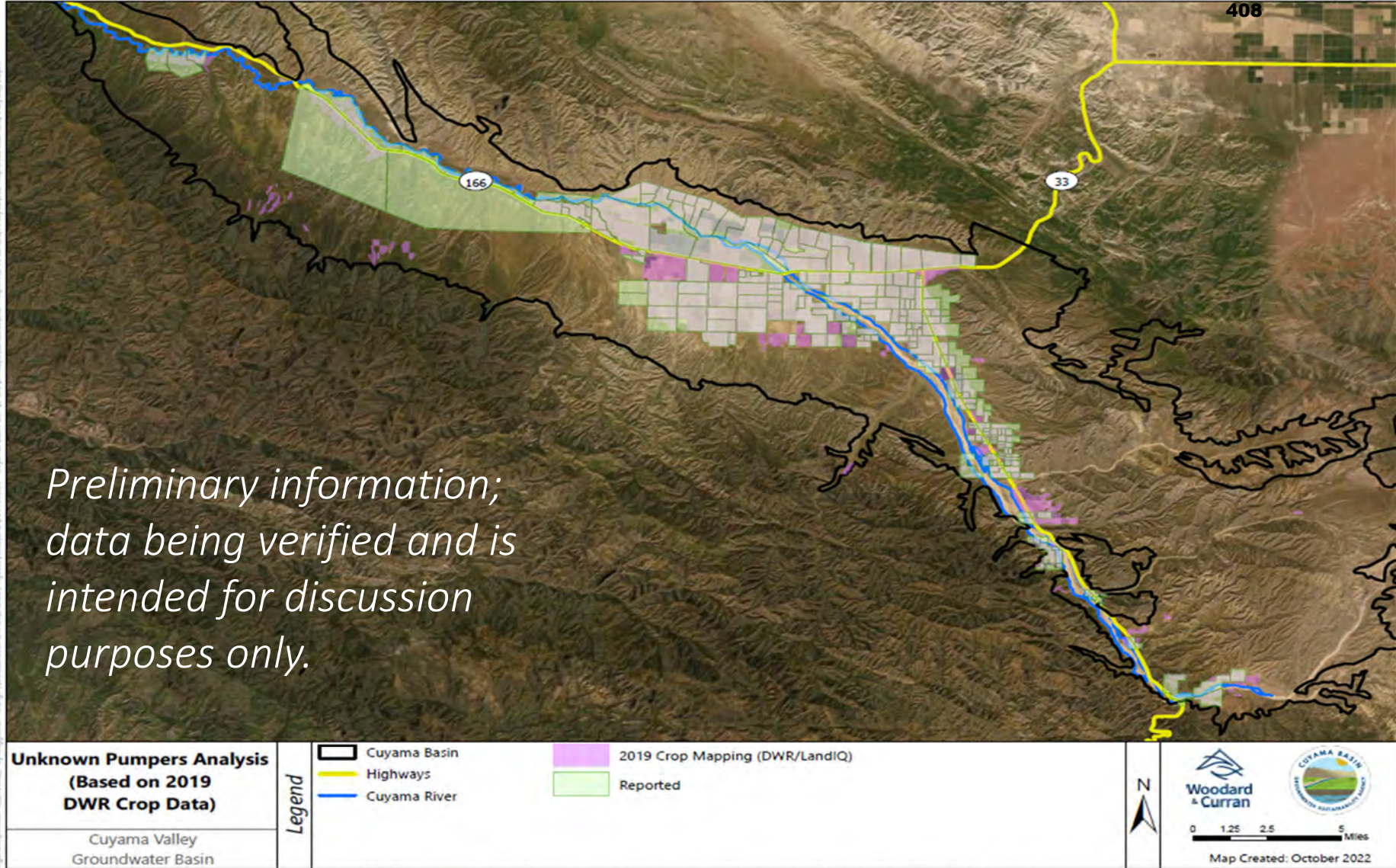


# Background

- Staff is working with an ad hoc to identify potential non-reporting pumpers
- Staff is analyzing DWR 2019 land use and 2021 user reported water use
- Staff continues to contact landowners to confirm irrigation water use status and recommends sending a letter to the roughly 50 potential unreported pumpers

Irrigated Lands: 2021 User-Reported vs.  
2019 DWR Data Set

*Preliminary information;  
data being verified and is  
intended for discussion  
purposes only.*



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# Next Steps

- Staff planning on sending letter to the roughly 50 potential unreported pumpers



TO: Board of Directors  
Agenda Item No. 19c

FROM: Brian Van Lienden, Woodard & Curran

DATE: November 2, 2022

SUBJECT: Update on Implementation of Grant-Funded Projects

**Recommended Motion**

None – information only.

**Discussion**

An update on grant implementation for the recently awarded \$7.6 million Sustainable Groundwater Management Implementation Round 1 grant is provided as Attachment 1.

---

# 19c. Update on Implementation of Grant-Funded Projects

Brian Van Lienden

---

November 2, 2022



# Update on Implementation of Grant Funded Projects

412

- Installation of Monitoring Wells and Piezometers
  - For each location, analyzed geophysical conditions and groundwater levels to identify desired specific locations
  - Contacted drilling contractors to obtain cost estimates for planning purposes
  - Next step is to contact landowners to obtain agreements
- Installation of new Weather (CIMIS) Stations
  - Currently coordinating with CA DWR staff
- Updated Land Use Survey
  - Developing revised scope of work with LandIQ
  - Land use data will be provided for WY 2021-22 in December



TO: Board of Directors  
Agenda Item No. 19d

FROM: Brian Van Lienden, Woodard & Curran

DATE: November 2, 2022

SUBJECT: Update on Monitoring Network Implementation

**Recommended Motion**

None – information only.

**Discussion**

An update regarding the monitoring network implementation is provided as Attachment 1.

---

# 19d. Update on Monitoring Network Implementation

Brian Van Lienden

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November 2, 2022



# Stream Gauge Locations

Brian Van Lienden

## USGS DATA

### 1. Cuyama R NR Ventucopa

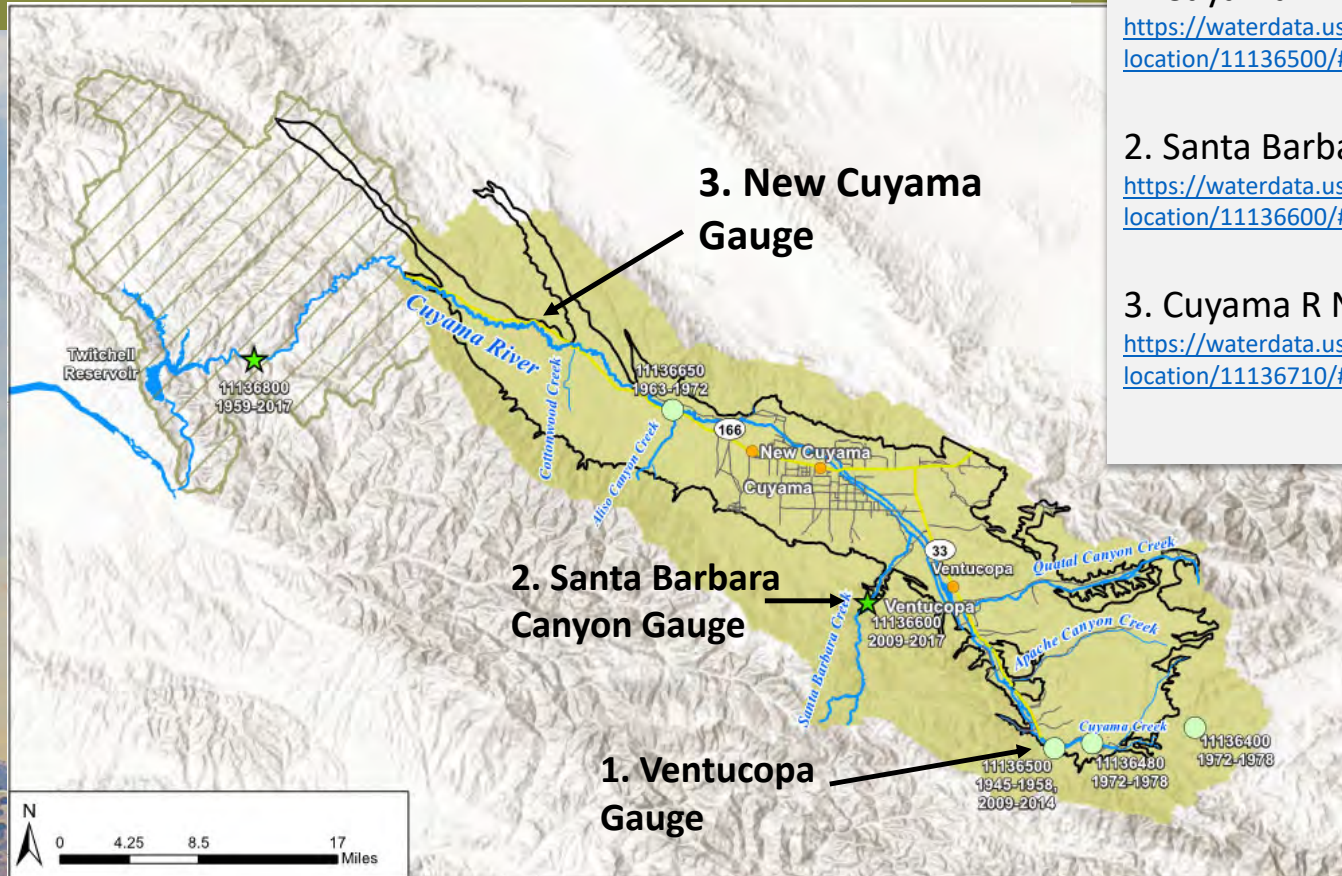
<https://waterdata.usgs.gov/monitoring-location/11136500/#parameterCode=00060&period=P365D>

### 2. Santa Barbara CYN C NR Ventucopa

<https://waterdata.usgs.gov/monitoring-location/11136600/#parameterCode=00060&period=P365D>

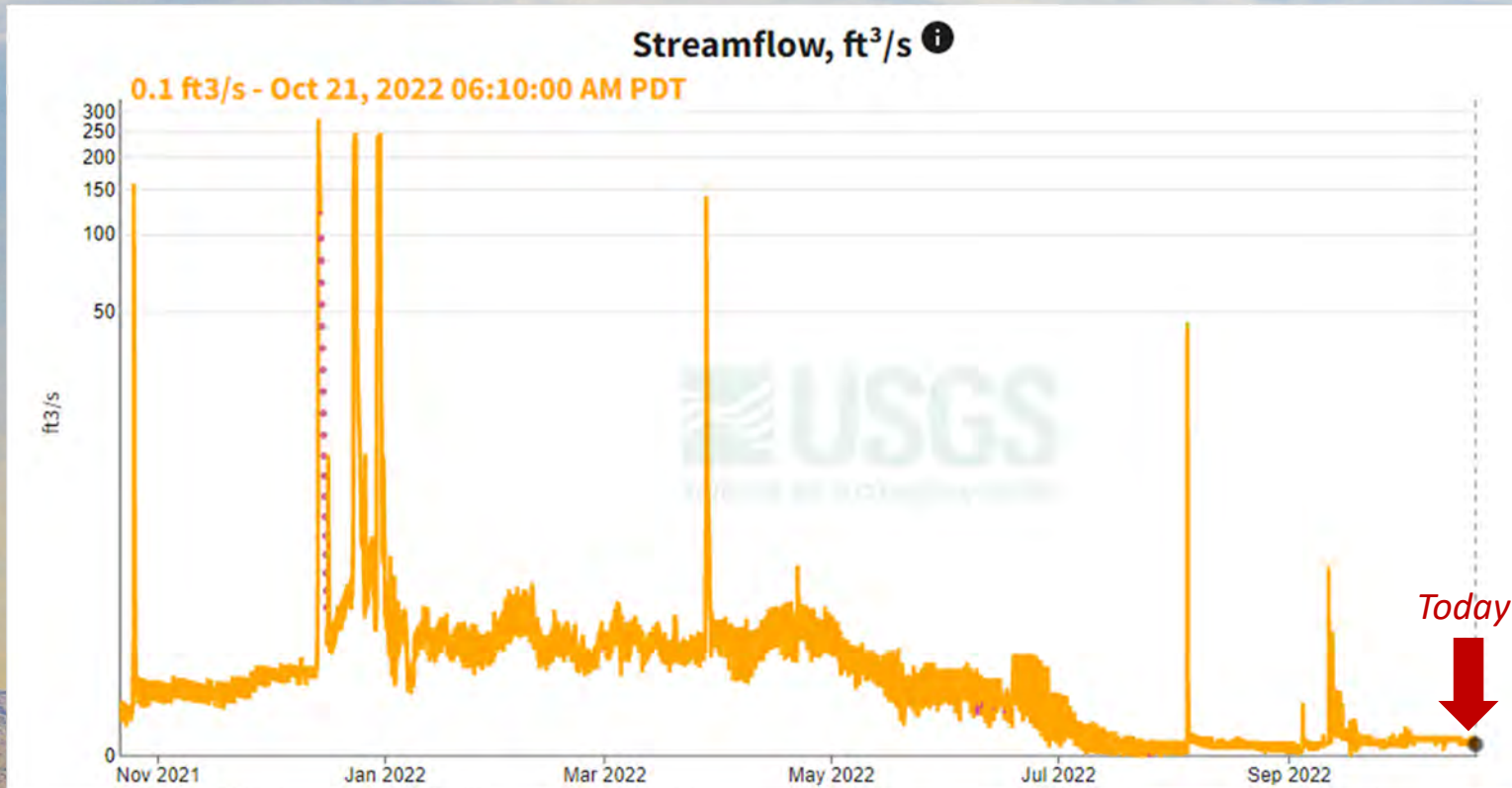
### 3. Cuyama R NR New Cuyama (Spanish Ranch)

<https://waterdata.usgs.gov/monitoring-location/11136710/#parameterCode=00060&period=P365D>



# 1. Cuyama R NR Ventucopa: Discharge Data

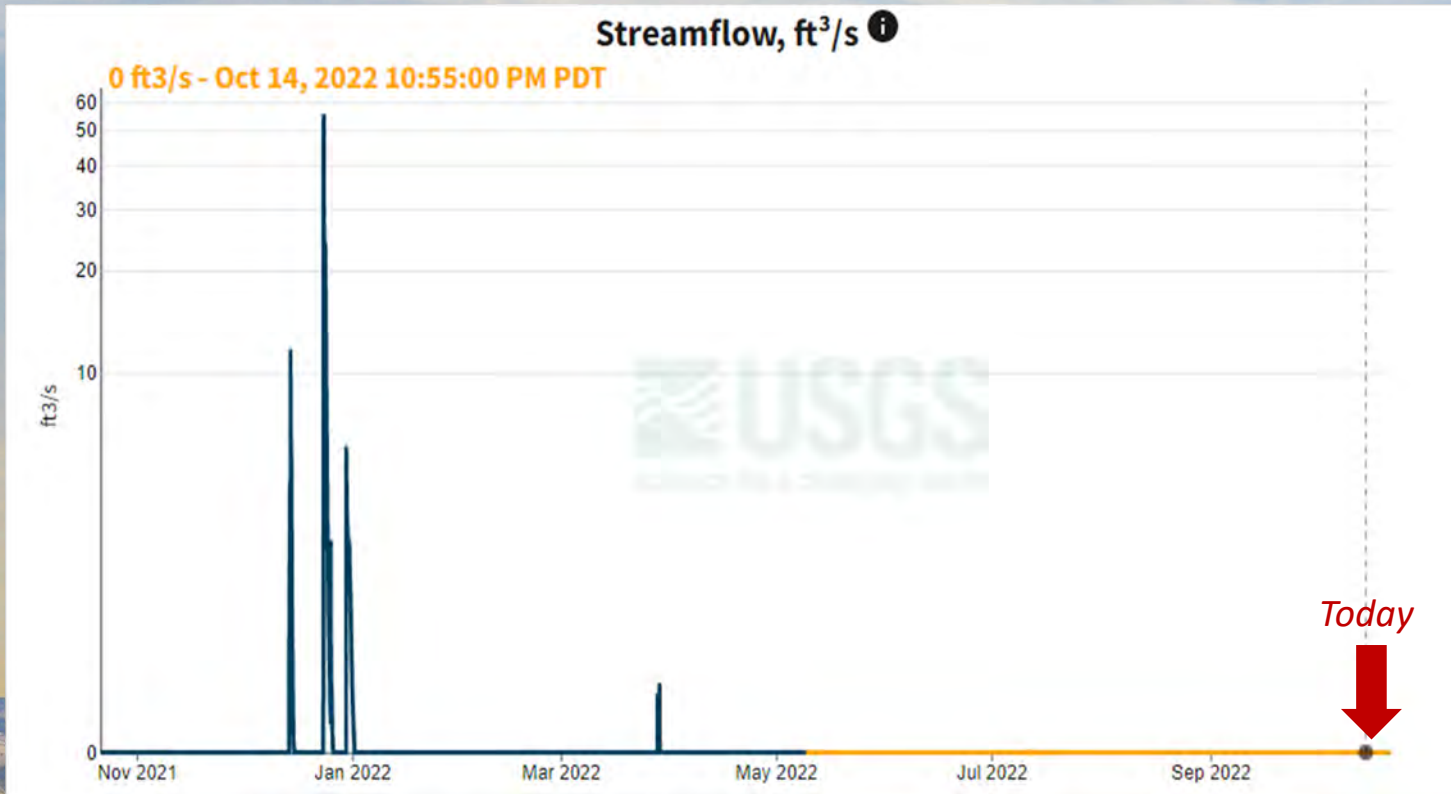
Brian Van Lienden





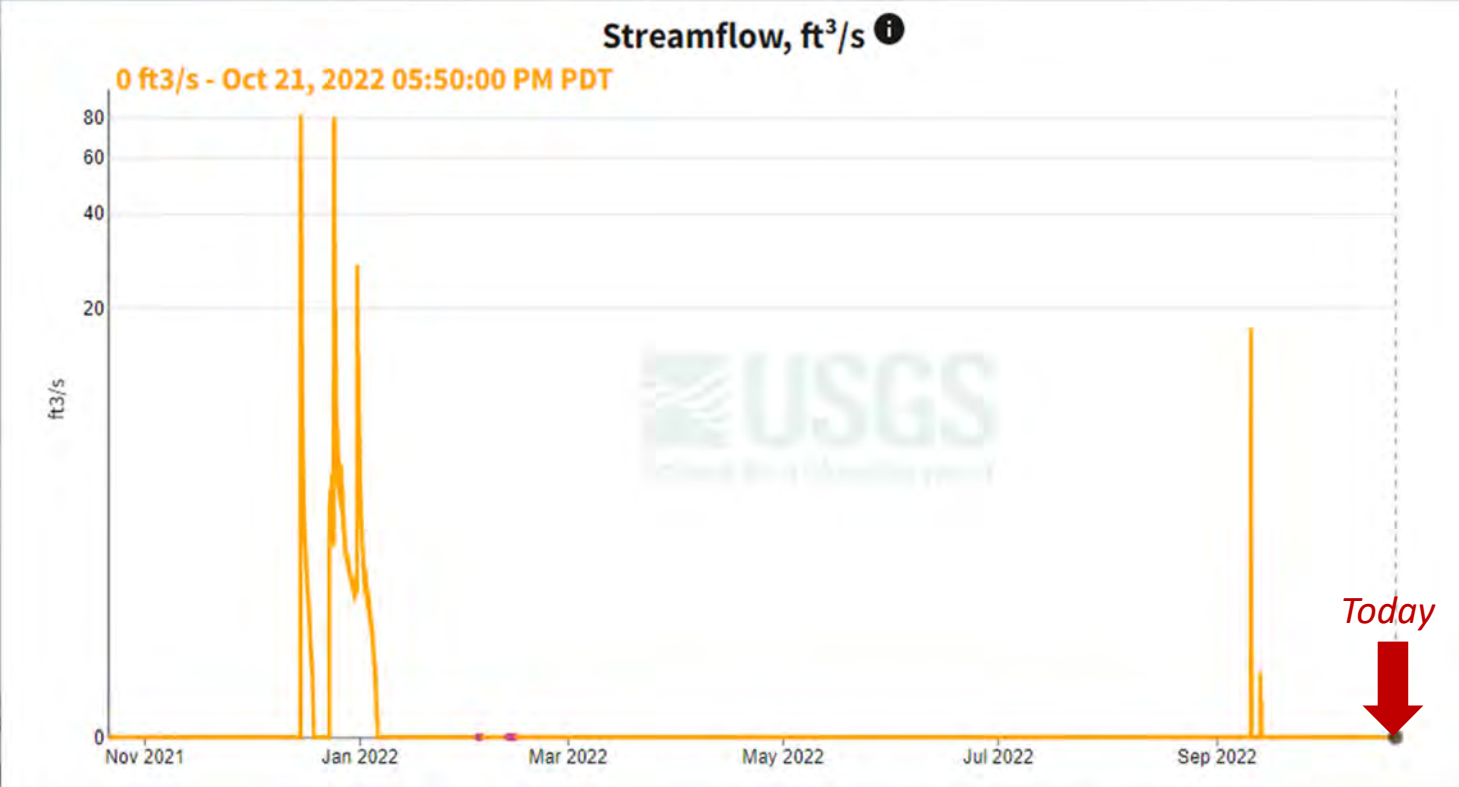
# 2. Santa Barbara CYN C NR Ventucopa: Discharge Data

Brian Van Lienden



# 3. Cuyama R NR New Cuyama (Spanish Ranch): Discharge Data

Brian Van Lienden



# Schedule for Cuyama Basin Monitoring in 2022

Brian Van Lienden

- Quarterly groundwater levels monitoring:
  - January, April, July, October
- Water quality testing for TDS, nitrates and arsenic was performed in August and September

# Update on DWR TSS Program

Brian Van Lienden

- DWR installed three new multi-completion monitoring wells in the Cuyama Basin in 2021
  - Staff is continuing to work with DWR to install transducers in these wells



TO: Board of Directors  
Agenda Item No. 19e

FROM: Brian Van Lienden, Woodard & Curran

DATE: November 2, 2022

SUBJECT: Report on Annual Water Quality

**Recommended Motion**

None – information only.

**Discussion**

Annual water quality samples for total dissolved solids (TDS), arsenic and nitrates were collected in August 2022 and the results are provided as Attachment 1. The detailed report is provided as Attachment 2.

Cuyama Basin Groundwater Sustainability Agency

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# 19e. Update on Annual Water Quality Report

Brian Van Lienden

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**November 2, 2022**



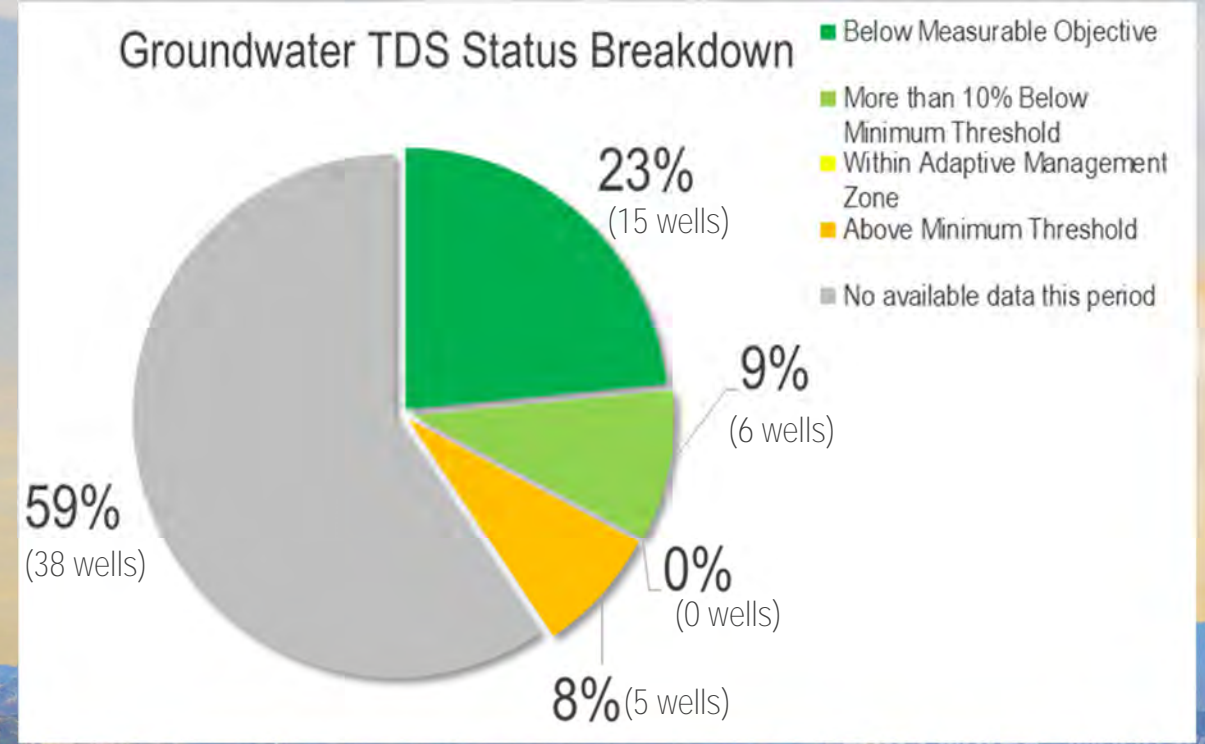
# Groundwater Levels Monitoring Network – Summary of Current Conditions

423

- Monitoring data from August-September 2022 for is included in the Groundwater Quality Conditions report
- 18 representative monitoring wells and 8 other wells have salinity, nitrates and arsenic measurements in 2022
- 8 additional representative wells were measured for salinity in 2021

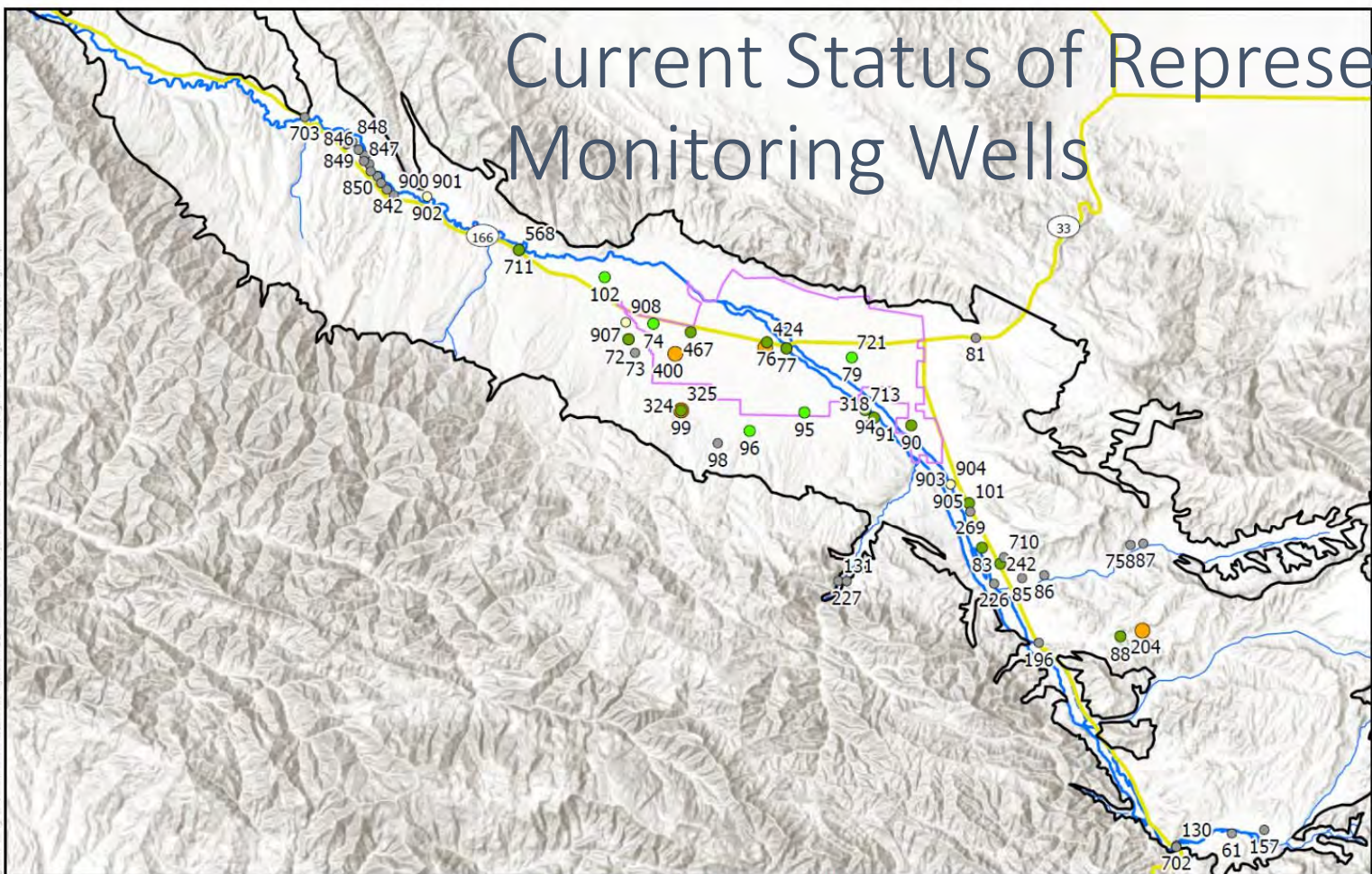
# Summary of Groundwater Well TDS Measurements as Compared To Sustainability Criteria

- 5 the 26 wells with a measurement in 2021 or 2022 are currently below minimum threshold (MT)
- 38 representative wells did not have a measurement in either year, in most cases because landowner agreement could not be obtained





# Current Status of Representative Monitoring Wells



**Q3 2022  
Regular Reporting  
Status Report**

Cuyama Valley  
Groundwater Basin

*Legend*

- Cuyama Basin
- Highways
- Cuyama River
- Streams/Creeks

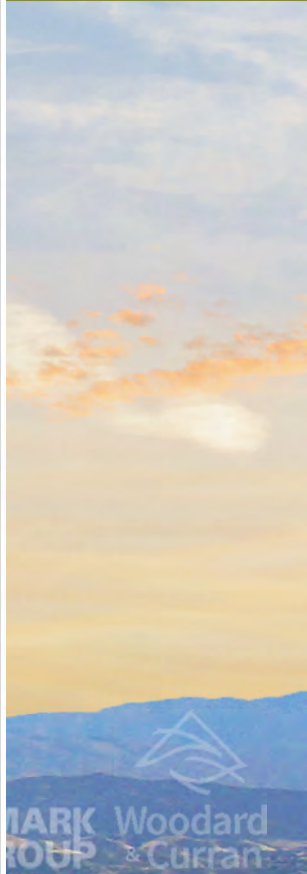
**Representative TDS Monitoring Network Wells and Status**

- Above Minimum Threshold
- Below Measurable Objective
- More than 10% Below Minimum Threshold
- No available data this period
- No available thresholds



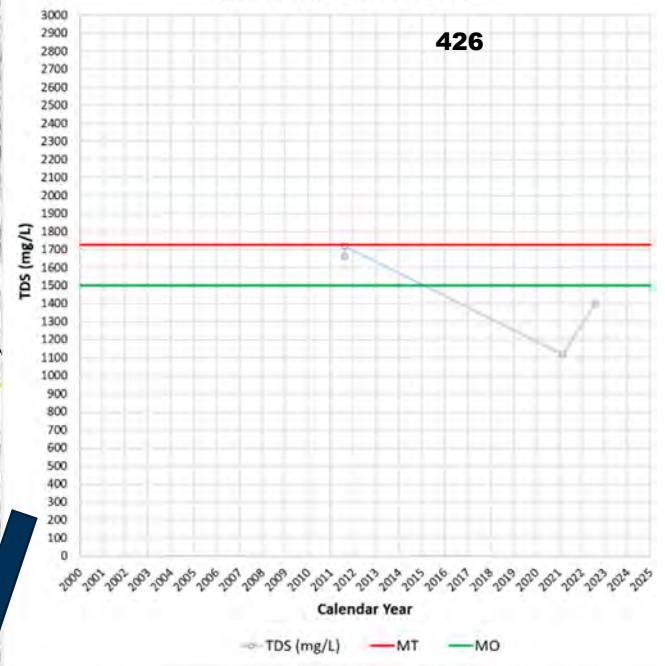
Map Created: October 2022

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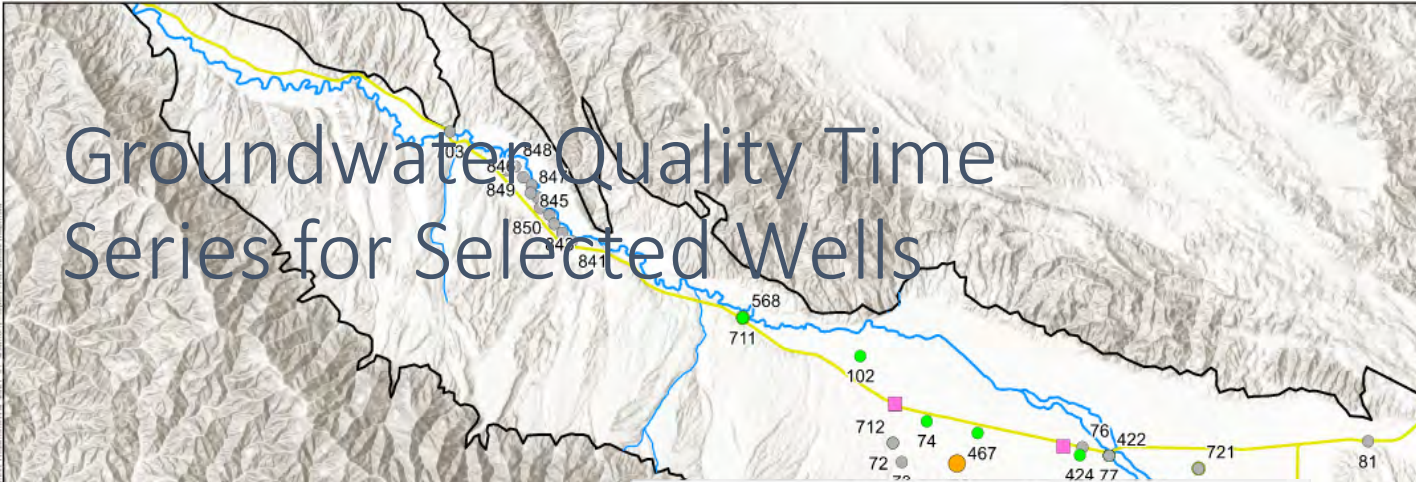
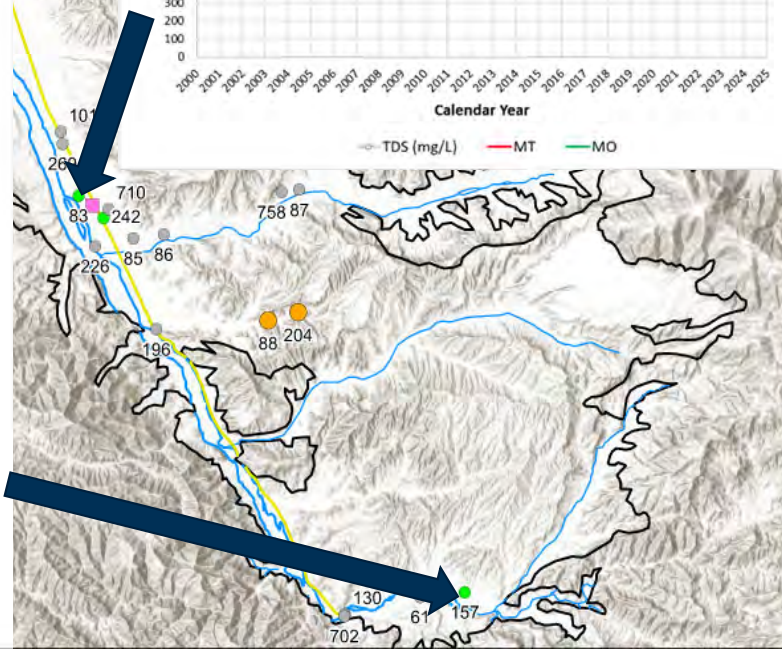
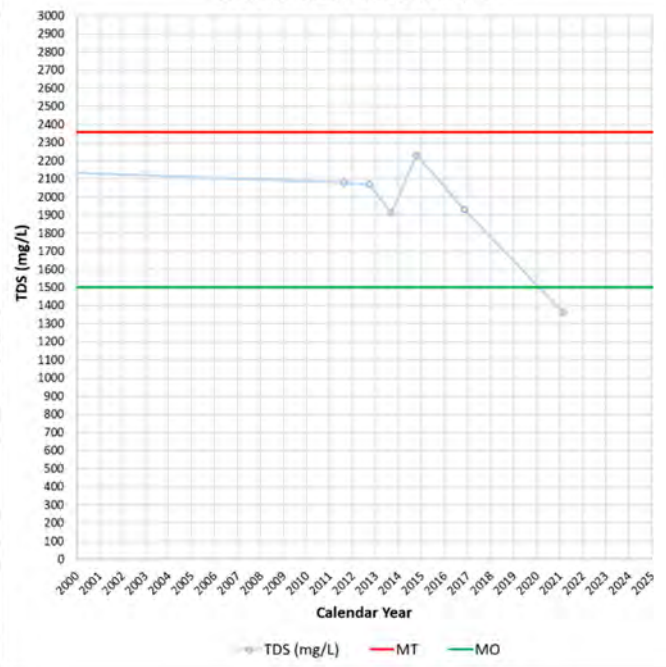


# Groundwater Quality Time Series for Selected Wells

Well 83 Total Dissolved Solids

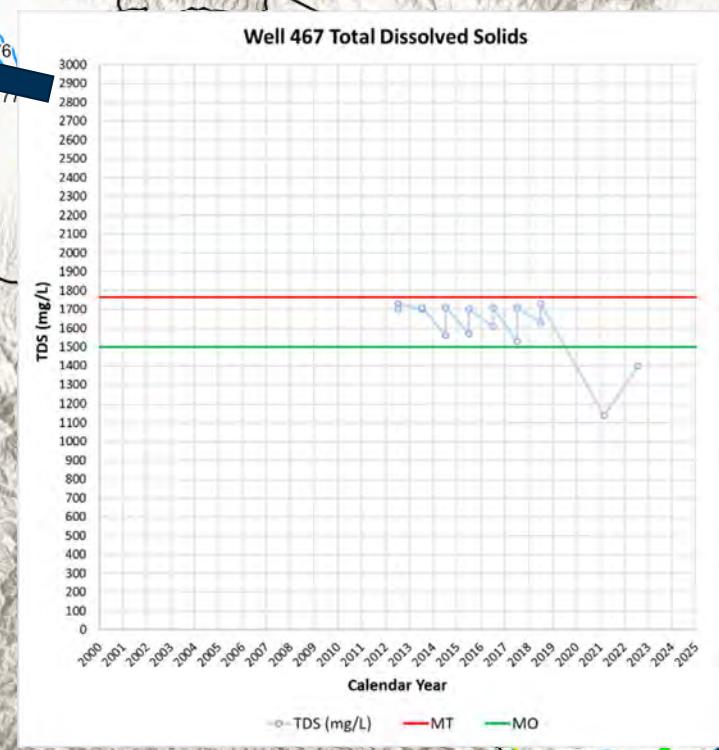
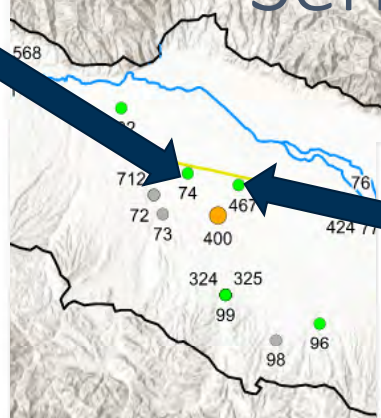
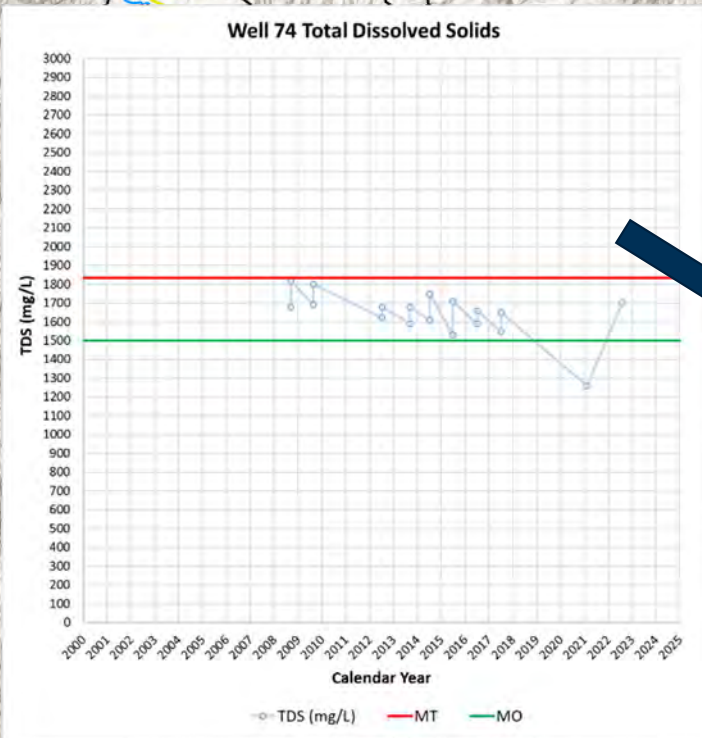


Well 157 Total Dissolved Solids

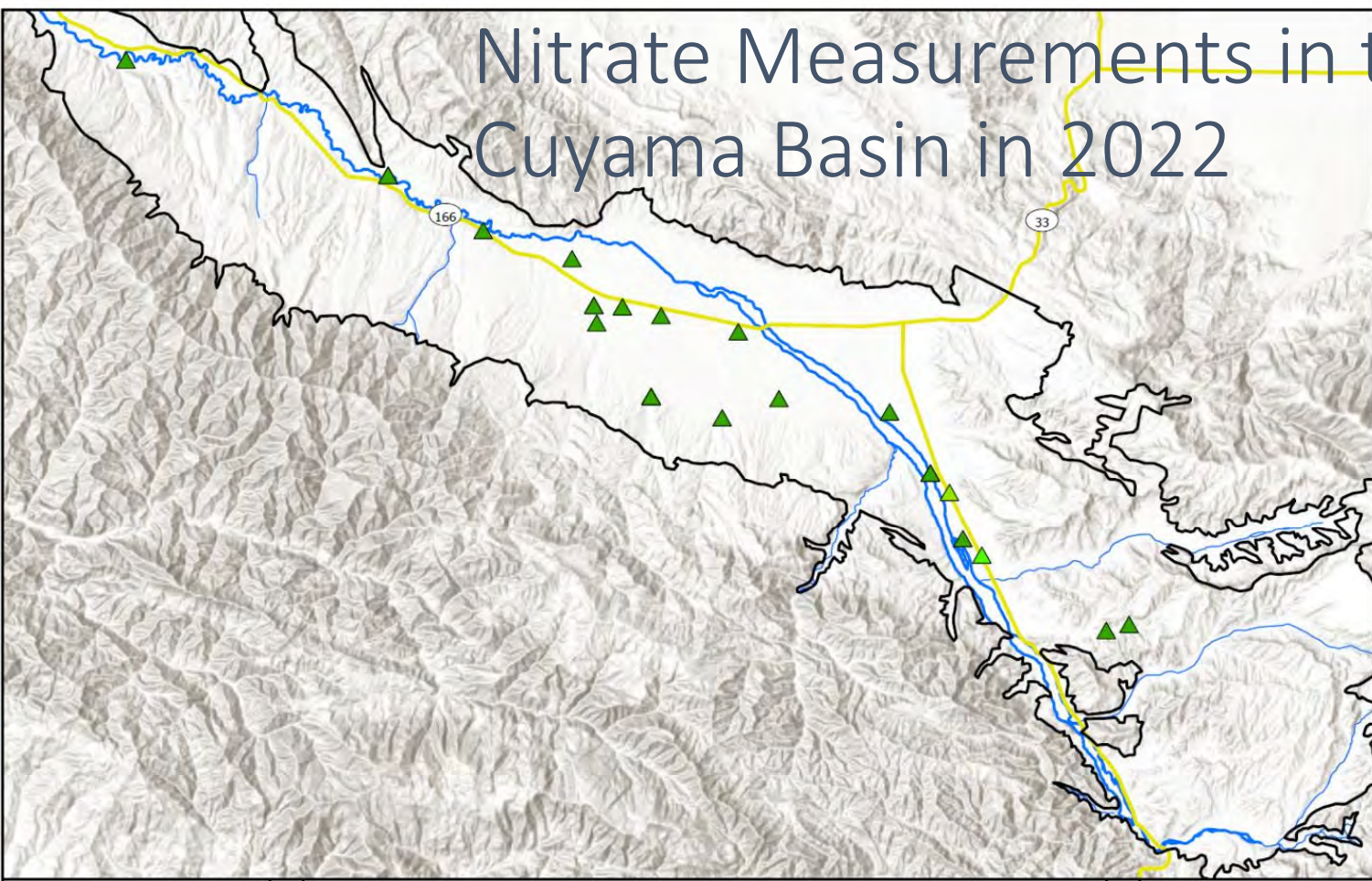


# Groundwater Quality Time Series for Selected Wells

427



# Nitrate Measurements in the Cuyama Basin in 2022



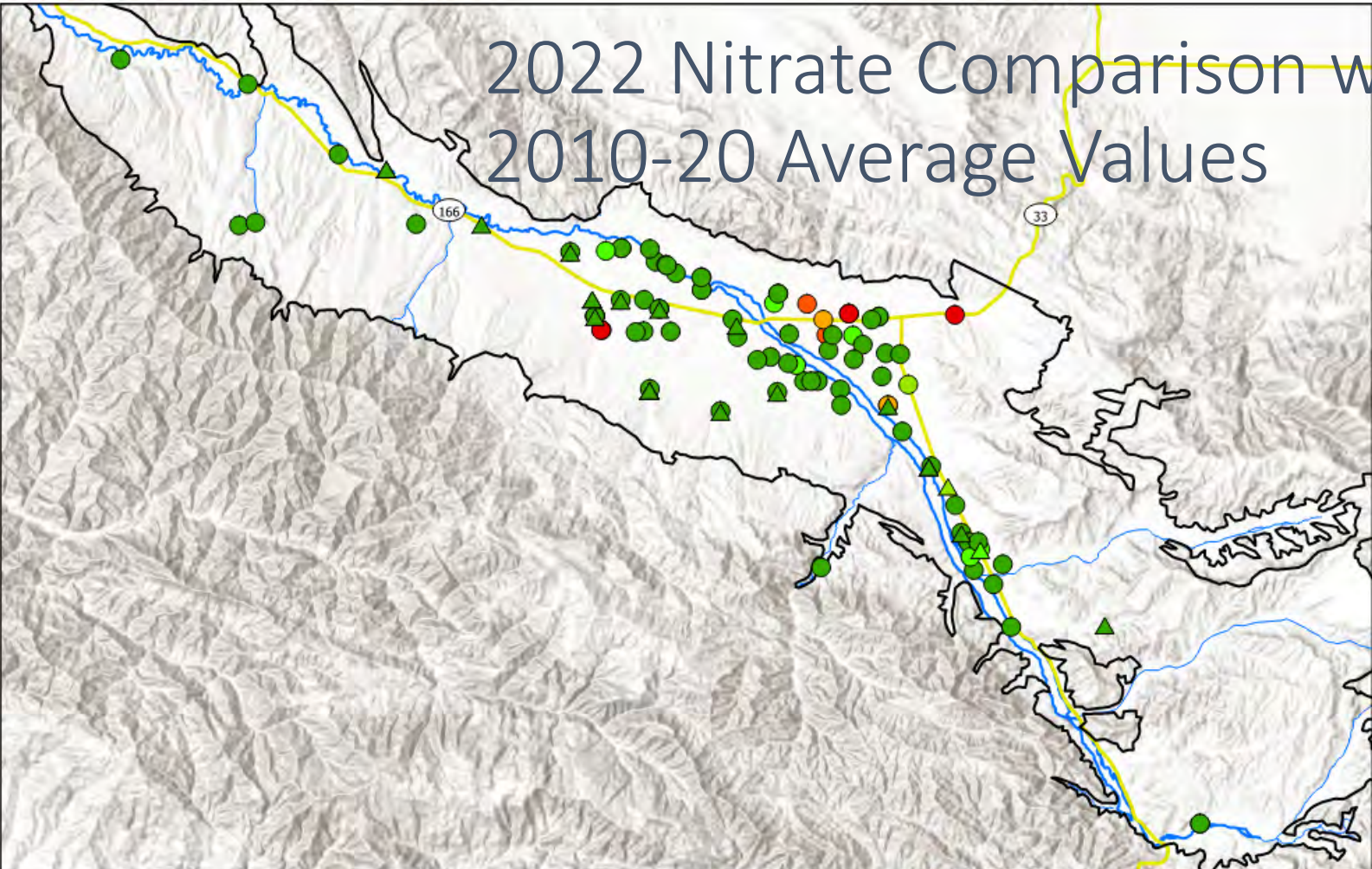
<b>Groundwater Quality 2022 Measurements</b>	<b>Legend</b>	Cuyama Basin	<b>Nitrate Measured in 2022</b>	
		Highways	< 5 mg/L	
Cuyama Valley Groundwater Basin	Cuyama River	5 - 8 mg/L	  Map Created: October 2022	
	Streams/Creeks	8 - 10 mg/L		

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# 2022 Nitrate Comparison with 2010-20 Average Values

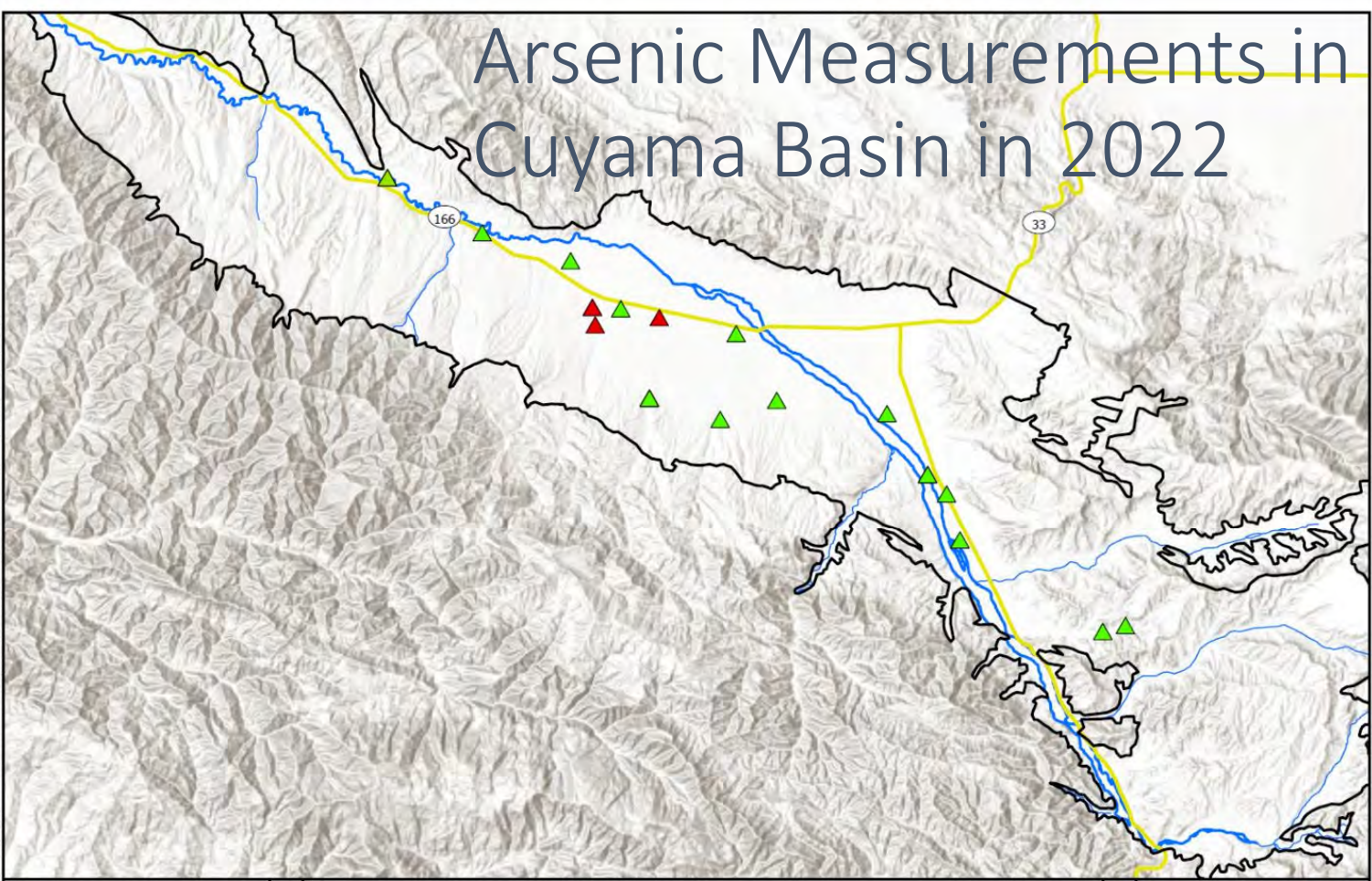
429






<p><b>Groundwater Quality Historical Average vs. 2022 Measurements</b></p> <p>Cuyama Valley Groundwater Basin</p>	<p><i>Legend</i></p> <ul style="list-style-type: none"> <li> Cuyama Basin</li> <li> Highways</li> <li> Cuyama River</li> <li> Streams/Creeks</li> </ul>	<p>Nitrate Measured in 2022      Nitrate Average 2010-2020</p>		<ul style="list-style-type: none"> <li> 10 - 15 mg/L</li> <li> 15 - 20 mg/L</li> <li> &gt; 20 mg/L</li> </ul>	<p>N</p> <p>0 1 2 4 Miles</p> <p>Map Created: October 2022</p>
		<ul style="list-style-type: none"> <li> &lt; 5 mg/L</li> <li> 5 - 8 mg/L</li> <li> 8 - 10 mg/L</li> </ul>	<ul style="list-style-type: none"> <li> &lt; 5 mg/L</li> <li> 5 - 8 mg/L</li> <li> 8 - 10 mg/L</li> </ul>		

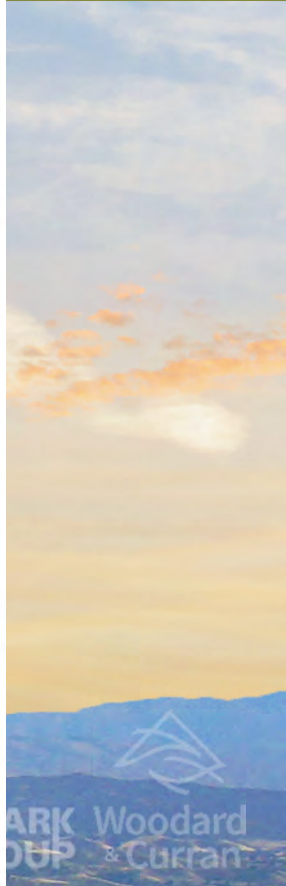


# Arsenic Measurements in the Cuyama Basin in 2022



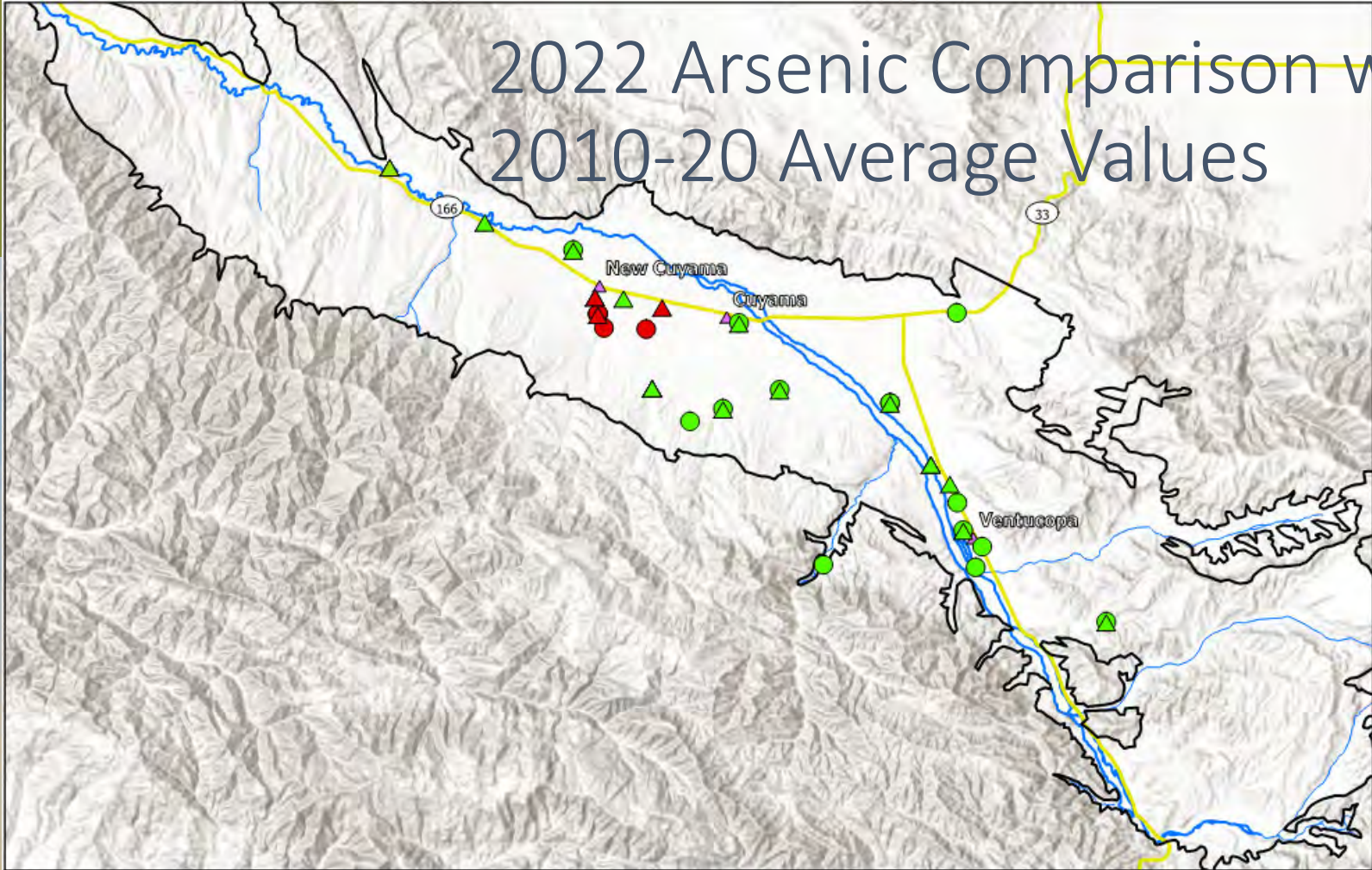
<p><b>Groundwater Quality 2022 Measurements</b></p> <p>Cuyama Valley Groundwater Basin</p>	<p>Legend</p>	<ul style="list-style-type: none"> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Cuyama Basin</li> <li><span style="border-bottom: 2px solid yellow; width: 20px; display: inline-block;"></span> Highways</li> <li><span style="border-bottom: 1px solid blue; width: 20px; display: inline-block;"></span> Cuyama River</li> <li><span style="border-bottom: 1px solid blue; width: 20px; display: inline-block;"></span> Streams/Creeks</li> </ul>	<p>Arsenic Measured in 2022</p> <ul style="list-style-type: none"> <li><span style="color: green;">▲</span> &lt; 5 ug/L</li> <li><span style="color: lightgreen;">▲</span> 5-10 ug/L</li> <li><span style="color: red;">▲</span> &gt; 20 ug/L</li> </ul>	<div style="text-align: center;">  <p>N</p>   <p>0 1 2 4 Miles</p> <p>Map Created: October 2022</p> </div>
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# 2022 Arsenic Comparison with 2010-20 Average Values

431



<p><b>Groundwater Quality Historical Average vs. 2022 Measurements</b></p> <p>Cuyama Valley Groundwater Basin</p>	<p><i>Legend</i></p> <ul style="list-style-type: none"> <li> Cuyama Basin</li> <li> Highways</li> <li> Cuyama River</li> <li> Streams/Creeks</li> </ul>	<p>Arsenic Measured in 2022      Arsenic Average 2010-2020</p>		<p>N</p> <p>0 1 2 4 Miles</p> <p>Map Created: October 2022</p>
		<ul style="list-style-type: none"> <li> &lt; 5 ug/L</li> <li> 5-10 ug/L</li> <li> &gt; 20 ug/L</li> </ul>	<ul style="list-style-type: none"> <li> &lt; 5 ug/L</li> <li> &gt; 20 ug/L</li> </ul>	





GROUNDWATER  
QUALITY  
CONDITIONS  
REPORT –  
CUYAMA VALLEY  
GROUNDWATER  
BASIN

August-September  
2022

801 T Street  
Sacramento, CA.  
916.999.8700

[woodardcurran.com](http://woodardcurran.com)

COMMITMENT & INTEGRITY DRIVE RESULTS

Cuyama Valley  
Groundwater  
Sustainability Agency



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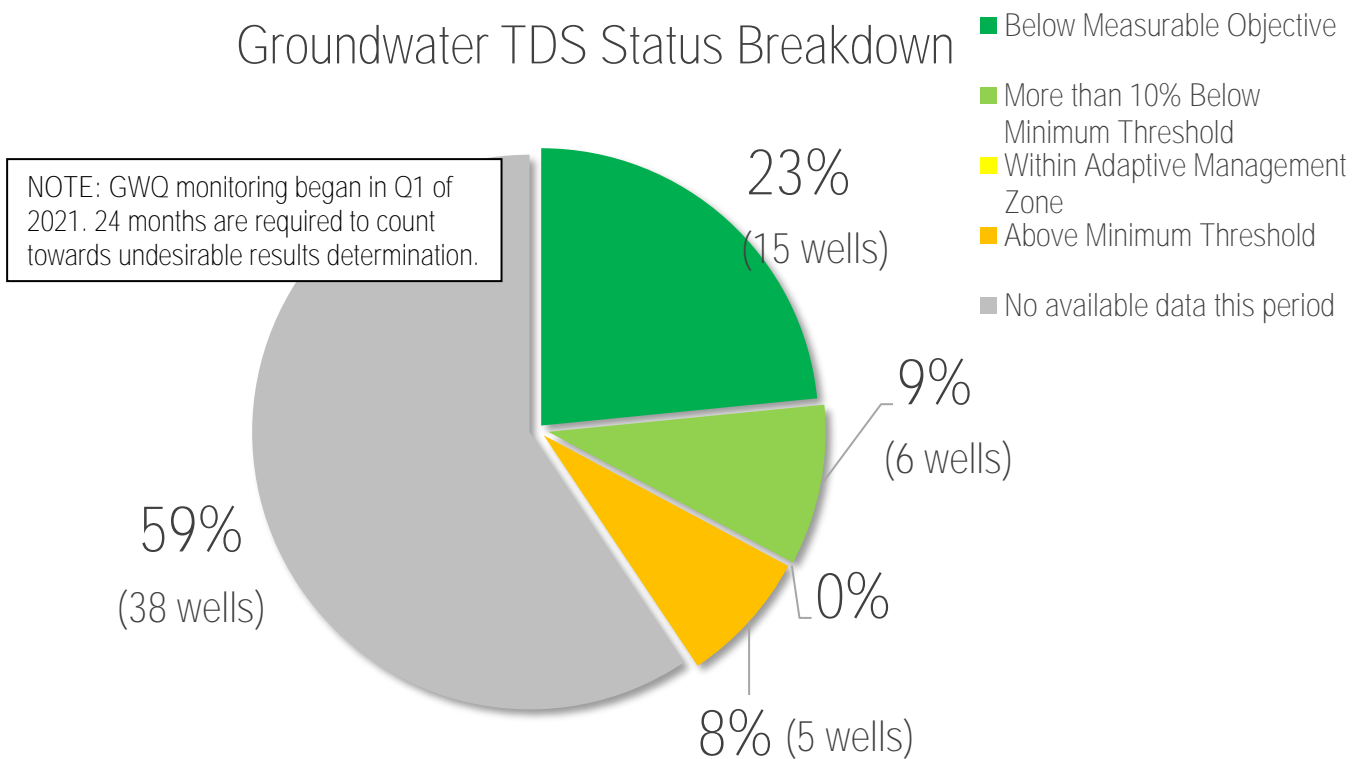
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## 1. INTRODUCTION

This report is intended to provide an update on the current groundwater quality as total dissolved solids (TDS), nitrate, and arsenic conditions in the Cuyama Valley Groundwater Basin. Groundwater quality measurements were taken during August and September, 2022. This work is completed by the Cuyama Basin Groundwater Sustainability Agency (CBGSA), in compliance with the Sustainable Groundwater Management Act.

## 2. SUMMARY STATISTICS

### Groundwater TDS Status Breakdown



As outlined in the GSP, undesirable results for degraded water quality occurs, “when 30 percent of representative monitoring points... fall below their minimum groundwater elevation threshold for two consecutive years.” (Cuyama GSP, pg. 3-4).

Note there are 8 wells (900, 901, 902, 903, 904, 905, 907, and 908) for which no historical groundwater quality data is available to determine minimum thresholds. **This report also contains information related to nitrate and arsenic, but these constituents, as described in the approved GSP, are not constituents of concern and therefore do not have minimum thresholds or measurable objectives. The GSA received comments about nitrate and arsenic and have therefore elected to collect data to increase the understanding of Basin conditions related to these constituents.**

## 3. CURRENT CONDITIONS

Table 1 includes the most recent TDS measurements taken in the Cuyama Basin from representative wells included in the Cuyama GSP Groundwater Quality Monitoring Network, which were taken during August and September, 2022. Per the plan described in the GSP, it is the intention of the GSA to take TDS measurements once per year. Table 2

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includes all of the representative wells and their current status in relation to the thresholds applied to each well. This information is also shown on Figure 1. Table 3 shows the most recent nitrate and arsenic measurements taken in the Cuyama Basin during August and September, 2022.

All measurements have also been incorporated into the Cuyama DMS, which may be accessed at <https://opti.woodardcurran.com/cuyama/login.php>.

Table 1: Recent Total Dissolved Solids Measurements for Monitoring Network

Well	Region	N/A	Q1, 2021	Q3, 2022
		GWQ TDS, mg/L	GWQ TDS, mg/L	GWQ TDS, mg/L
61	Southeastern		-	-
72	Central		559	980
73	Central		-	-
74	Central		1260	1700
76	Central		1270	-
77	Central		1070	-
79	Central		1790	-
81	Central		-	-
83	Eastern		1120	1400
85	Eastern		-	-
86	Eastern		-	-
87	Badlands		-	-
88	Badlands		330	300
90	Central		-	1400
91	Central		-	-
94	Central		964	-
95	Central		1290	1700
96	Central		1210	1500
98	Central		-	-
99	Central		1010	1300
101	Eastern		-	1400
102	Central		905	2100
130	Southeastern		-	-
131	Eastern		-	-
157	Southeastern		1360	-
196	Eastern		-	-
204	Badlands		364	340
226	Eastern		-	-
227	Eastern		-	-
242	Eastern		826	1100

Well	Region	N/A	Q1, 2021	Q3, 2022
		GWQ TDS, mg/L	GWQ TDS, mg/L	GWQ TDS, mg/L
269	Eastern		-	-
309	Central		-	-
316	Central		-	-
317	Central		692	-
318	Central		-	-
322	Central		1120	1500
324	Central		488	850
325	Central		746	1400
400	Central		1350	-
420	Central		-	-
421	Central		797	-
422	Central		-	-
424	Central		-	1600
467	Central		1140	1400
568	Central		872	920
702	Southeastern		-	-
703	Northwestern		-	-
710	Eastern		-	-
711	Central		-	-
712	Central		-	-
713	Central		-	-
721	Central		-	-
758	Badlands		-	-
840	Northwestern		-	-
841	Northwestern		-	-
842	Northwestern		-	-
843	Northwestern		-	-
844	Northwestern		-	-
845	Northwestern		-	-
846	Northwestern		-	-
847	Northwestern		-	-

Well	Region	N/A	Q1, 2021	Q3, 2022
		GWQ TDS, mg/L	GWQ TDS, mg/L	GWQ TDS, mg/L
848	Northwestern		-	-
849	Northwestern		-	-
850	Northwestern		-	-
900	Central		-	6200
901	Central		-	6700
902	Central		-	9200
903	Eastern		-	1500
904	Eastern		-	1500
905	Eastern		-	1400
907	Central		-	1600
908	Central		-	2400

Note: Previous year values and annual changes in TDS will be reported after the CBGSA monitoring program has completed a second round of monitoring in the next fiscal year.

Table 2: Well Status Related to TDS Thresholds

Well	Region	Current		Minimum Threshold	Within 10% Minimum Threshold	Measurable Objective	Status	GSA Action Required?
		TDS (mg/L)	Date					
61	Southeastern	-	-	615	612	585	No available data this period	No
72	Central	980	8/18/2022	1023	1020	996	Below Measurable Objective	No
73	Central	-	-	856	851	805	No available data this period	No
74	Central	1700	8/18/2022	1833	1800	1500	More than 10% Below Minimum Threshold	No
76	Central	-	-	2307	2226	1500	No available data this period (below MO in 2021)	No
77	Central	-	-	1592	1583	1500	No available data this period (below MO in 2021)	No
79	Central	-	-	2320	2238	1500	No available data this period (more than 10% below MT in 2021)	No
81	Central	-	-	2788	2659	1500	No available data this period	No
83	Eastern	1400	8/18/2022	1726	1703	1500	Below Measurable Objective	No
85	Eastern	-	-	1391	1314	618	No available data this period	No
86	Eastern	-	-	975	974	969	No available data this period	No
87	Badlands	-	-	1165	1157	1090	No available data this period	No
88	Badlands	300	8/17/2022	302	302	302	Below Measurable Objective	No
90	Central	1400	8/18/2022	1593	1584	1500	Below Measurable Objective	No
91	Central	-	-	1487	1479	1410	No available data this period	No
94	Central	-	-	1245	1226	1050	No available data this period (below MO in 2021)	No
95	Central	1700	8/23/2022	1866	1829	1500	More than 10% Below Minimum Threshold	No
96	Central	1500	8/17/2022	1632	1619	1500	More than 10% Below Minimum Threshold	No

Well	Region	Current		Minimum Threshold	Within 10% Minimum Threshold	Measurable Objective	Status	GSA Action Required?
		TDS (mg/L)	Date					
98	Central	-	-	2400	2310	1500	No available data this period	No
99	Central	1300	9/8/2022	1562	1555	1490	Below Measurable Objective	No
101	Eastern	1400	8/17/2022	1693	1674	1500	Below Measurable Objective	No
102	Central	2100	8/17/2022	2351	2266	1500	More than 10% Below Minimum Threshold	No
130	Southeastern	-	-	1855	1820	1500	No available data this period	No
131	Eastern	-	-	1982	1934	1500	No available data this period	No
157	Southeastern	-	-	2360	2274	1500	No available data this period (below MO in 2021)	No
196	Eastern	-	-	904	898	851	No available data this period	No
204	Badlands	340	-	269	267	253	Above Minimum Threshold	No
226	Eastern	-	-	1844	1810	1500	No available data this period	No
227	Eastern	-	-	2230	2157	1500	No available data this period	No
242	Eastern	1100	8/17/2022	1518	1513	1470	Below Measurable Objective	No
269	Eastern	-	-	1702	1682	1500	No available data this period	No
309	Central	-	-	1509	1499	1410	No available data this period	No
316	Central	-	-	1468	1459	1380	No available data this period	No
317	Central	-	-	1337	1329	1260	No available data this period (below MO in 2021)	No
318	Central	-	-	1152	1145	1080	No available data this period	No
322	Central	1500	9/8/2022	1386	1382	1350	Above Minimum Threshold	No
324	Central	850	9/8/2022	777	774	746	Above Minimum Threshold	No



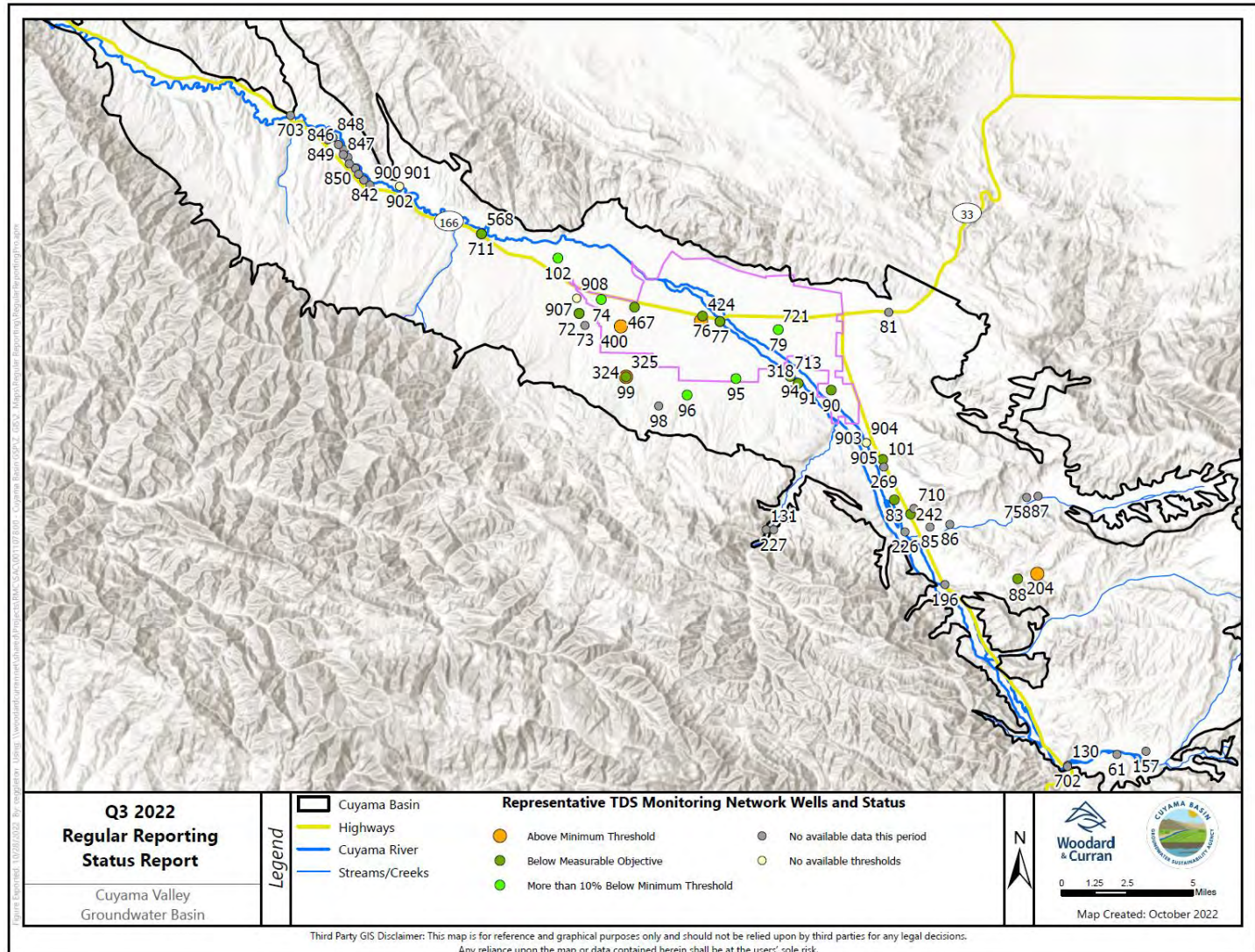
Well	Region	Current		Minimum Threshold	Within 10% Minimum Threshold	Measurable Objective	Status	GSA Action Required?
		TDS (mg/L)	Date					
325	Central	1400	9/8/2022	1569	1559	1470	Below Measurable Objective	No
400	Central	-	-	976	970	918	No available data this period (above MT in 2021)	No
420	Central	-	-	1490	1484	1430	No available data this period	No
421	Central	-	-	1616	1604	1500	No available data this period (below MO in 2021)	No
422	Central	-	-	1942	1898	1500	No available data this period	No
424	Central	1600	8/18/2022	1588	1579	1500	Above Minimum Threshold	No
467	Central	1400	8/18/2022	1764	1738	1500	Below Measurable Objective	No
568	Central	920	8/17/2022	1191	1159	871	More than 10% Below Minimum Threshold	No
702	Southeastern	-	-	2074	1878	110	No available data this period	No
703	Northwestern	-	-	4097	3727	400	No available data this period	No
710	Eastern	-	-	1040	1040	1040	No available data this period	No
711	Central	-	-	928	928	928	No available data this period	No
712	Central	-	-	978	977	977	No available data this period	No
713	Central	-	-	1200	1200	1200	No available data this period	No
721	Central	-	-	2170	2103	1500	No available data this period	No
758	Badlands	-	-	954	949	900	No available data this period	No
840	Northwestern	-	-	559	559	559	No available data this period	No
841	Northwestern	-	-	561	561	561	No available data this period	No
842	Northwestern	-	-	547	547	547	No available data this period	No

Well	Region	Current		Minimum Threshold	Within 10% Minimum Threshold	Measurable Objective	Status	GSA Action Required?
		TDS (mg/L)	Date					
843	Northwestern	-	-	569	569	569	No available data this period	No
844	Northwestern	-	-	481	481	481	No available data this period	No
845	Northwestern	-	-	1250	1250	1250	No available data this period	No
846	Northwestern	-	-	918	918	918	No available data this period	No
847	Northwestern	-	-	480	480	480	No available data this period	No
848	Northwestern	-	-	674	674	674	No available data this period	No
849	Northwestern	-	-	1780	1752	1500	No available data this period	No
850	Northwestern	-	-	472	472	472	No available data this period	No
900	Central	6200	8/17/2022	-	-	-	-	
901	Central	6700	8/23/2022	-	-	-	-	
902	Central	9200	8/23/2022	-	-	-	-	
903	Eastern	1500	8/23/2022	-	-	-	-	
904	Eastern	1500	8/23/2022	-	-	-	-	
905	Eastern	1400	8/23/2022	-	-	-	-	
907	Central	1600	8/23/2022	-	-	-	-	
908	Central	2400	8/23/2022	-	-	-	-	

Note: Wells only count towards the identification of undesirable results if the level measurement is below the minimum threshold for 24 consecutive months. Wells 900, 901, 902, 903, 904, 905, 907, and 908 do not have previous measurements, therefore no thresholds are available.



Figure 1: Groundwater Quality Representative Wells and Status



#### 4. TOTAL DISSOLVED SOLIDS TIME SERIES FIGURES

The following figures provide an overview of TDS conditions in each of the six areas threshold regions identified in the GSP.

Figure 2: Southeast Region – Well 157

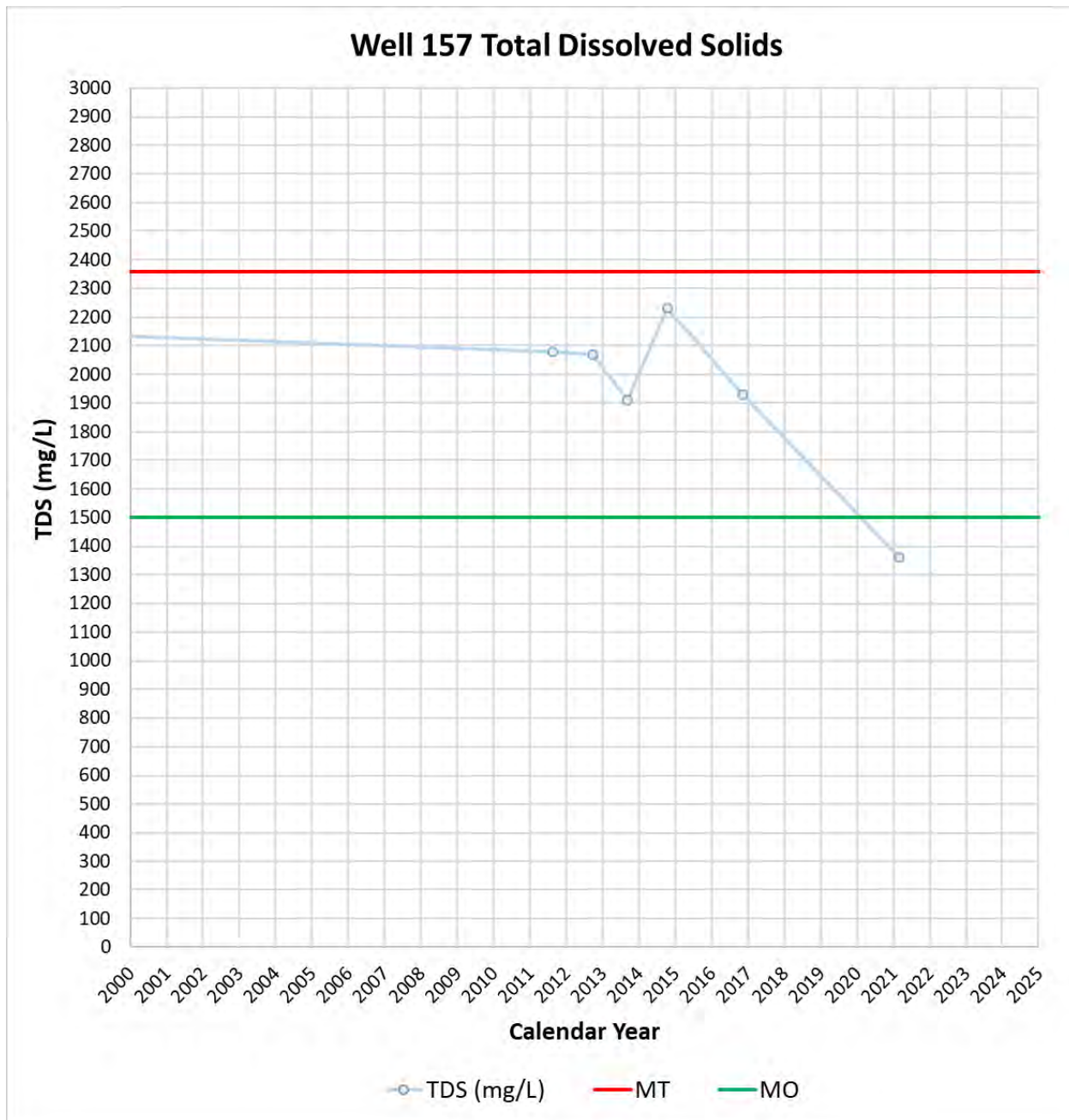


Figure 3: Eastern Region – Well 83

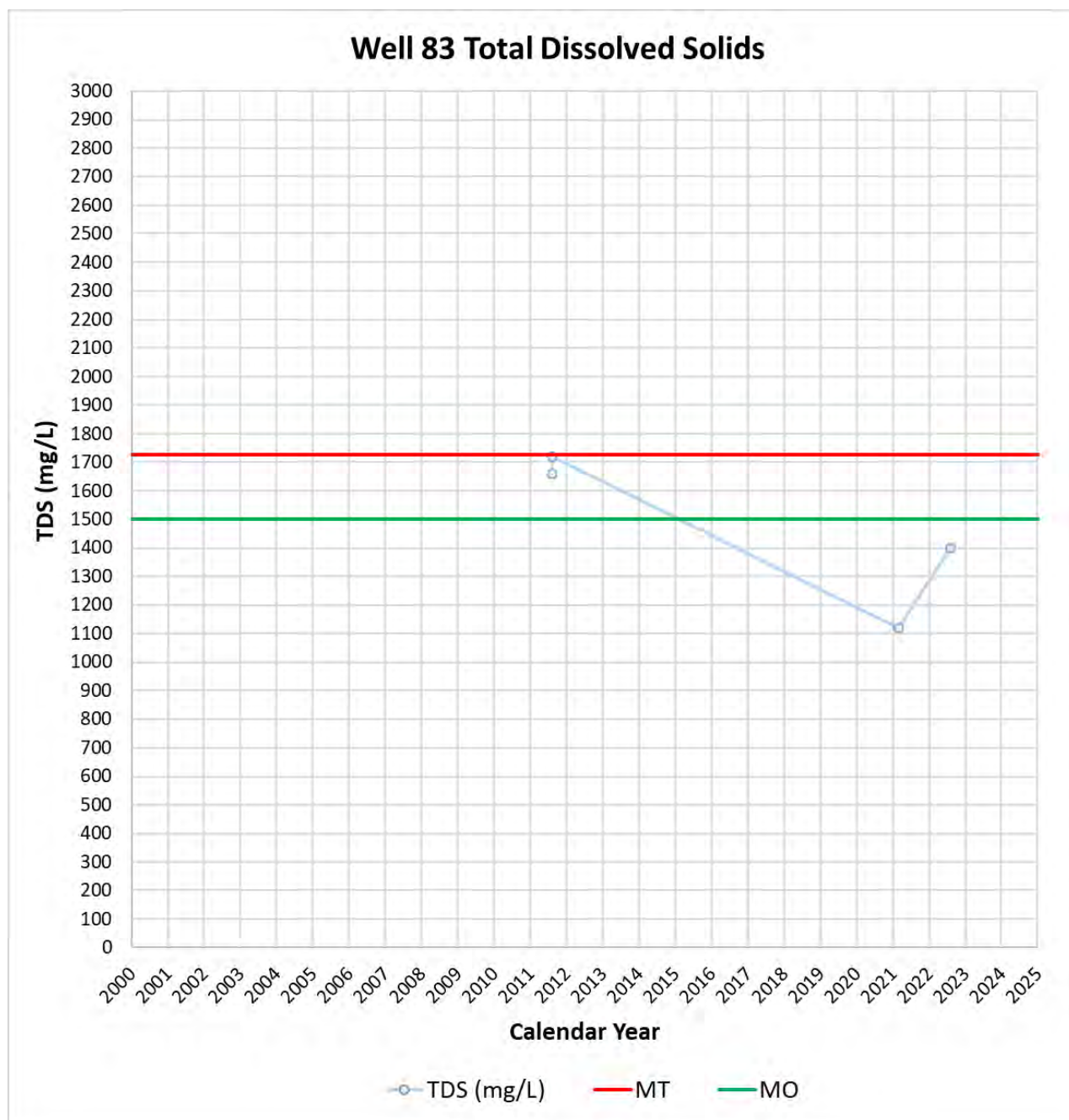


Figure 4: Central Region – Well 467

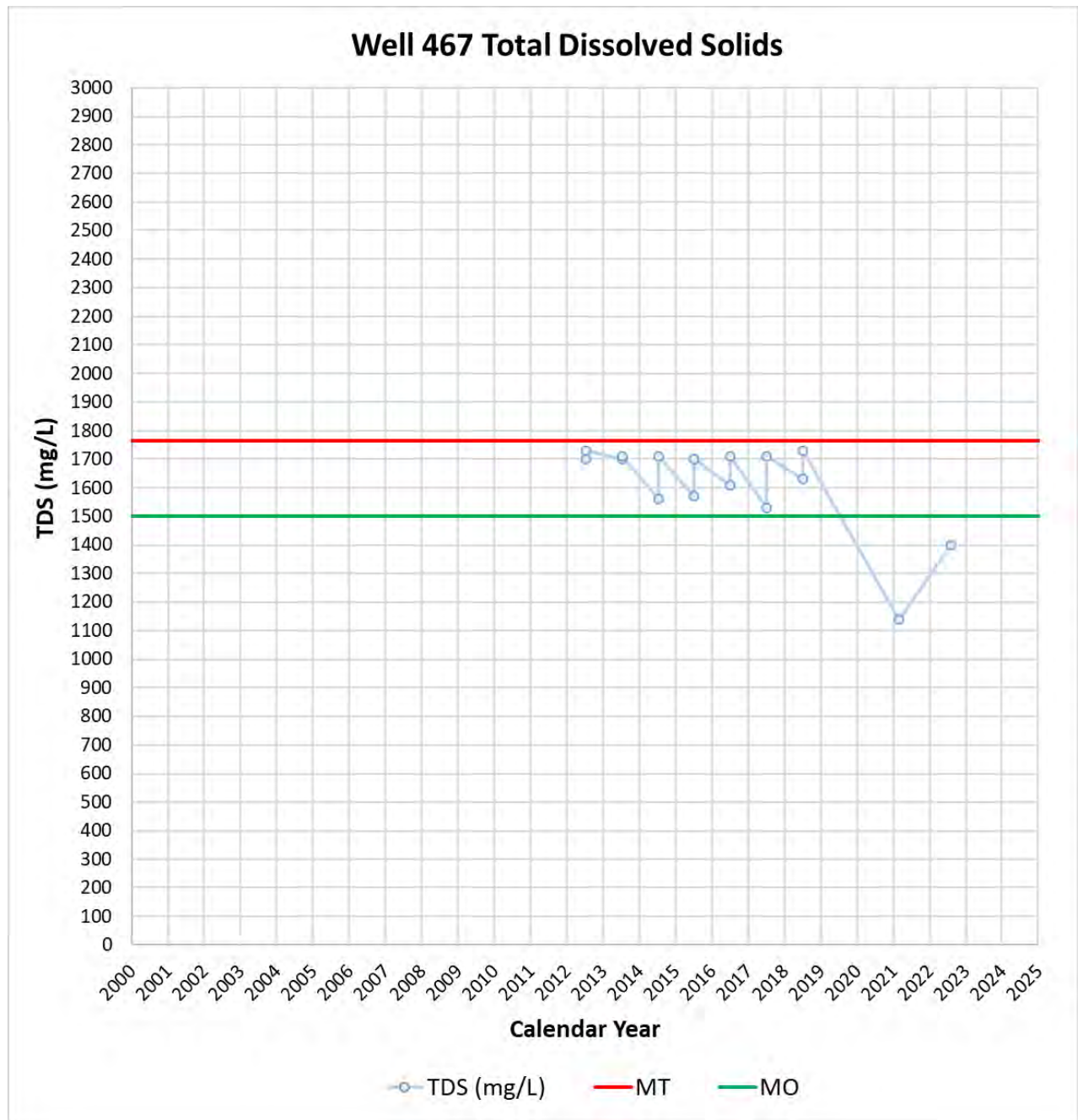


Figure 5: Central Region – Well 74

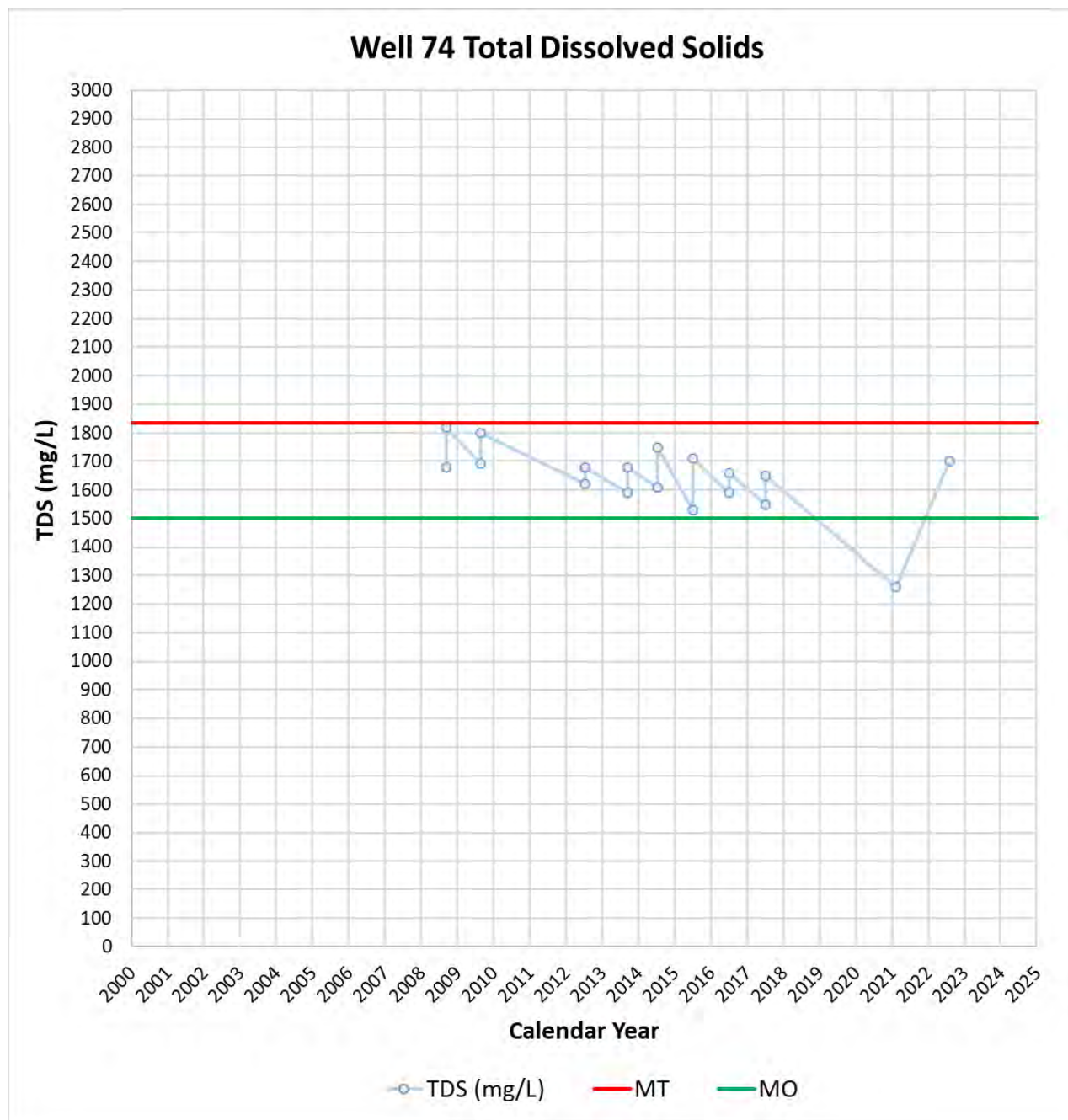


Figure 6: Western Region – Well TBD

*No data from this Threshold Region at this time.*

Figure 7: Northwestern Region – Well TBD

*No data from this Threshold Region at this time.*



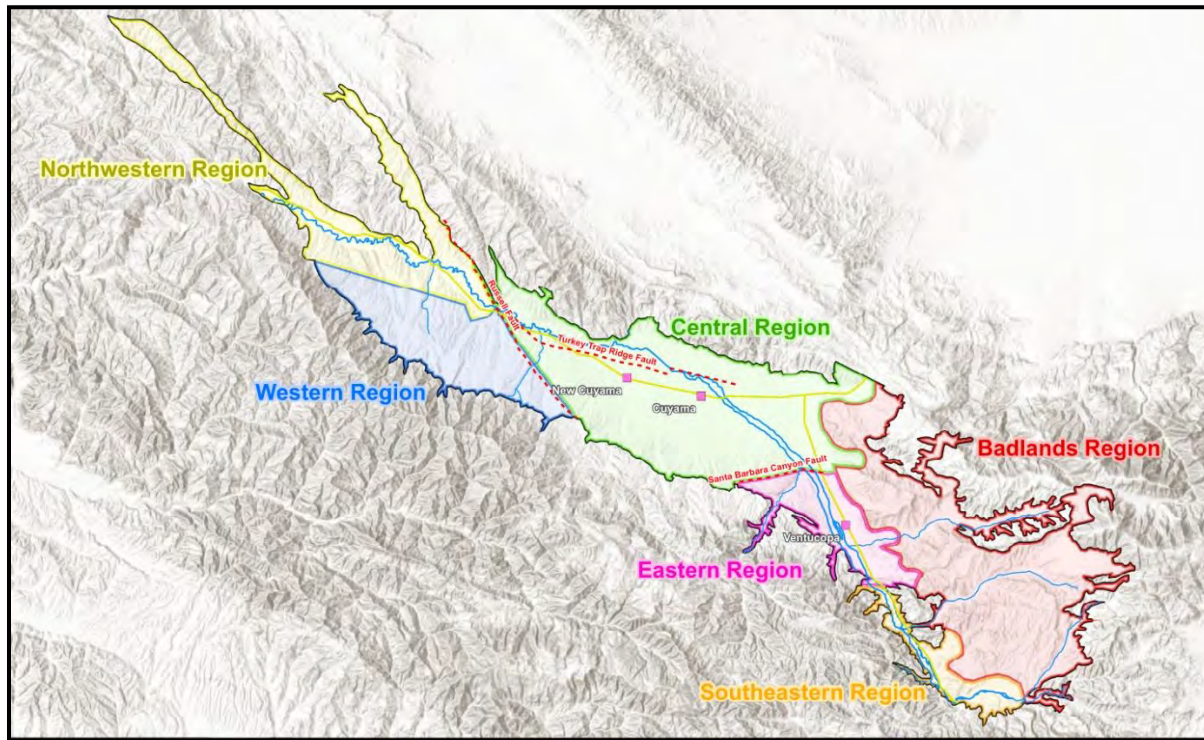


Figure 8: Threshold Regions in the Cuyama Groundwater Basin

## 5. MONITORING NETWORK UPDATES

As shown in the Summary Statistics Section, there are 47 wells without current measurements. **These “no measurement codes” can have different causes as described below.**

- Access agreements have not yet been established with the landowner, access has not been granted yet, or no access at time of measurement:
  - Wells 61, 73, 76, 79, 81, 85, 86, 87, 94, 98, 130, 131, 157, 196, 226, 227, 269, 309, 400, 702, 703, 710, 711, 712, 713, 721, 758, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850
- Transducer data is not currently available:
  - Wells 91, 316, 420
- The well has gone dry:
  - Well 318, 422, 906

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## 6. NITRATE AND ARSENIC MEASUREMENTS

Measurements of Nitrate and Arsenic were taken by the CBGSA during August and September 2022 at the same locations as the TDS measurements described above. These measurements are shown in Table 3 and in Figures 9 and 10 below.

Table 3: 3Recent Arsenic and Nitrate Measurements

Well	Region	Q3, 2022	Q3, 2022
		GWO Arsenic, ug/L	GWO Nitrate, mg/L
72	Central	42	ND
74	Central	3.4	0.61
83	Eastern	ND	0.88
88	Badlands	ND	0.31
90	Central	ND	2
95	Central	ND	ND
96	Central	ND	0.39
99	Central	33	ND
101	Eastern	ND	8.1
102	Central	ND	3.5
204	Badlands	ND	0.27
242	Eastern	ND	7.8
322	Central	49	0.35
324	Central	9.5	ND
325	Central	2.6	ND
424	Central	ND	3.1
467	Central	25	ND
568	Central	ND	1.9
836	Northwestern	ND	0.76
900	Central	6.3	ND
901	Central	4.2	ND
902	Central	6	ND
903	Eastern	ND	1.1
904	Eastern	ND	1.1
905	Eastern	ND	1.1
907	Central	54	ND
908	Central	45	ND

Note: Previous year values and annual changes in nitrate and arsenic will be reported after the CBGSA monitoring program has completed a second round of monitoring in the next fiscal year. "ND" indicates that a measurement was taken, but no constituent was detected



Figure 9: Well Arsenic Measurements in Cuyama Basin

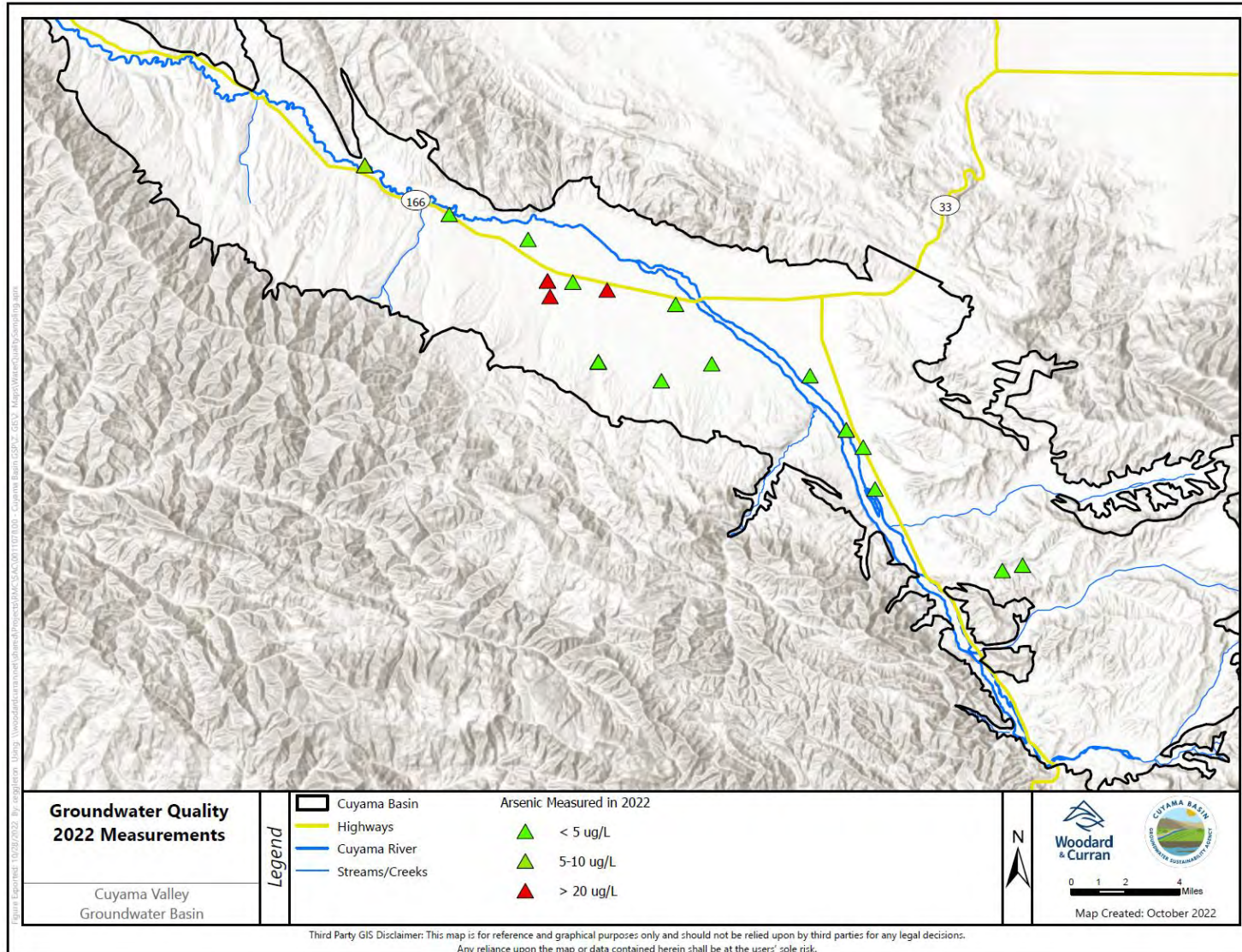




Figure 10: Well Nitrate Measurements in Cuyama Basin

