**APPLICATION FOR A**

**REPLENISHMENT ASSESSMENT EXEMPTION AND/OR**

**CENTRAL BASIN NON-CONSUMPTIVE WATER USE PERMIT ON A**

**GROUNDWATER CLEAN-UP PROGRAM**

Application made pursuant to California Water Code, Section 60318 (reprinted on page 4 of 5)

and

Central Basin Judgment, Section III.B.7 (reprinted on page 5 of 5)

**Section A: Permit Type** (Check all that apply)

Replenishment Assessment Exemption [ ] **Yes** [ ] **No**

Central Basin Non-Consumptive Water Use Permit**[ ] Yes** [ ] **No**

**Section B: Applicant Information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Entity/Firm Name: |       |  | Contact Person: |       |
| Address: |       |  | Title: |       |
|  |       |  | Telephone: |       |
|  |       |  |  Fax: |       |
|  |       |  |  Email: |       |

**Section C: General Information**

|  |  |
| --- | --- |
| 1. Location of proposed extraction:
 |       |
|  |
| 1. Description of groundwater contamination:
 |       |
|  |
|  |  |
| 1. Description of clean-up activities:
 |       |
|  |
| 1. Description of extraction wells:
 |       |
|  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Owner No.** | **State Well No.** | **Depth in Feet** | **Pump Capacity (GPM)** | **Est. Annual Pumping****(acre-feet)** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |
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|       |       |       |       |       |

|  |  |
| --- | --- |
| 1. Method of determining quantity of extraction (meter, estimate, etc.):
 |       |
|  |
| 1. Which Aquifer System is supplying wells:
 |       |
|  |
| 1. Quality of extracted water

(describe – provide copies of analyses): |       |
|  |
| 1. Method of disposal of extracted groundwater:
 |       |
|  |
| 1. Explain why water cannot be used for beneficial purposes:
 |  |
| 1. Is clean-up activity required by California Regional Water Quality Control Board?
 |  [ ] **Yes** [ ] **No** |
|  If yes, please provide Regional Board  Order No.: |  |
|  |  |
| 1. Period of exemption requested:
 | From       To      |
|  |  |
| 1. Amount of extraction expected during period of exemption (in acre feet):
 |       |
| Any other information to provide? |  |

**Please attach reports, maps, and additional information if necessary to substantiate the request for exemption. If under Regional Board order, include copy of Regional Board order, project report and latest progress report.**

**APPLICANT:**

|  |
| --- |
|  |
| Name: |       |
| Title: |       |
| Date: |       |
| Signature: |       |
|  |  |

**RIGHTS HOLDER ACKNOWLEDGEMENT/VERIFICATION OF ASSIGNMENT:** (If Applicable)

|  |
| --- |
|  |
| Name: |       |
| Title: |       |
| Date: |       |
| Signature: |       |
|  |  |

**CALIFORNIA WATER CODE**

**SECTION 60318**

**§ 60318 Groundwater contamination; programs to remedy; exemption from replenishment assessment; resolution by board; rescission or modification.**

(a) If the board determines, by resolution, that there is a problem of groundwater contamination that a proposed program will remedy or ameliorate, an operator may make extractions of groundwater to remedy or ameliorate that problem exempt from any replenishment assessment if the water is not applied to beneficial surface use, its extractions are made in compliance with all the terms and conditions of the board resolution, and the board has determined in the resolution either of the following:

(1) The groundwater to be extracted is unusable and cannot be economically blended for use with other water.

(2) The proposed program involves extraction of usable water in the same quantity as will be returned to the underground without degradation of quality.

(b) The resolution may provide those terms and conditions the board deems appropriate, including, but not limited to, restrictions on the quantity of extractions to be so exempted, limitations on time, periodic reviews, requirement of submission of test results from a laboratory holding a valid certification or accreditation as required by Section 13176, and any other relevant terms or conditions. Upon written notice to the operator involved, the board may rescind or modify its resolution. The rescission or modification of the resolution shall apply to groundwater extractions occurring more than 10 days after the rescission or modification. Notice of rescission or modification shall be either mailed first-class mail, postage prepaid, at least two weeks prior to the meeting of the board at which the rescission or modification will be made to the address of record of the operator or personally delivered two weeks prior to the meeting. All board determinations shall be final. (Added by Stats. 1985, c. 537, § 1. Amended by Stats. 1000, c. 727 (A.B.2886), § 7.)

 On February 3, 2022, WRD Board updated the Replenishment Assessment (RA) Exemption and

Non-Consumptive Water Use Permits (NCWUP) policy via Resolution No. 22-1169, see attachment.

**CENTRAL BASIN JUDGMENT**

 **SECTION III.B.7.**

***Central and West Basin Water Replenishment District, etc., vs. Charles E. Adams, et al. case no. 786,656 Third Amended Judgment, December 23, 2013***

**III. Provisions for Physical Solution to Meet the Water Requirements in Central Basin.**

***B. When Over-Extractions May be Permitted*.**

***7. Exemption for Extractors of Contaminated Groundwater.***

Any party herein may petition the WRD for a Non-consumptive Water Use Permit as part of a project to remedy or ameliorate groundwater contamination. If the petition is granted as set forth in this paragraph, the petitioner may extract the groundwater as permitted hereinafter, without the production counting against the petitioner's production rights.

(a) If the Board of WRD determines by Resolution that there is a problem of groundwater contamination that a proposed program will remedy or ameliorate, an operator may make extractions of groundwater to remedy or ameliorate that problem without the production counting against the petitioner's production rights if the water is not applied to beneficial surface use, its extractions are made in compliance with all the terms and conditions of the Board Resolution, and the Board has determined in the resolution either of the following:

(i) The groundwater to be extracted is unusable and cannot be economically treated or blended for use with other water.

(ii) The proposed program involves extraction of usable water in the same quantity as will be returned to the underground without degradation of quality.

On February 3, 2022, WRD Board updated the Replenishment Assessment (RA) Exemption and

Non-Consumptive Water Use Permits (NCWUP) policy via Resolution No. 22-1169, see attachment.