

CONDITIONS OF APPROVAL

**AMEND MAIN CALIFORNIA-AMERICAN WATER COMPANY WATER
DISTRIBUTION SYSTEM PERMIT
TO ANNEX ASSESSOR PARCEL NUMBERS
189-411-009-000 AND 189-411-010-000
TO ENABLE SERVICE OF MALPASO WATER COMPANY
WATER USE PERMIT NO. 650**

Permittee: California-American Water Company, a California Corporation
Recipient Assessor Parcel Numbers: 189-411-009-000 and 189-411-010-000
Application #WDS-20210622CAW, Permit #M21-02-L3

Mandatory Conditions of Approval

1. The California-American Water Company (CAW), a California Corporation, Water Distribution System (WDS) is authorized by the Monterey Peninsula Water Management District (MPWMD) under Permit M21-02-L3 to amend its Service Area boundary to include the entire 48.18 acres identified as Assessor Parcel Numbers (APNs) 189-411-009-000 & 189-411-010-000 (Recipient Parcels), as shown in Attachment 1. The Recipient Parcels are adjacent to the Main CAW System.
2. The Main CAW WDS is authorized under Permit M21-02-L3 to provide Malpasos Water Company water for Residential use (including associated landscape irrigation) on the Moo Land Incorporated, a California Corporation Parcels (Moo Land). Anticipated water use for the proposed residence(s) shall be deducted from the Malpasos Water Company Entitlement Water Use Permit #650.
3. The System Capacity for the Main CAW System does not change as a result of this annexation. The Main CAW System Production Limit under the MPWMD Water Allocation Program for the Source of Supply for the Malpasos Water Company is 85.6 Acre-Feet Annually (AFA).
4. The Source of Supply that will be used to serve the Recipient Parcels is the Eastwood/Canada Well (APN 015-162-038) approved by MPWMD Permit #M15-05-L3.



5. Permittee shall execute an Indemnification Agreement, provided separately, which holds the District harmless and promises to defend the District from any claims, demands, or expenses of any nature or kind arising from or in any way related to the District approval of the Permitted System, the annexation of the Recipient Parcels to the Main CAW System, or the adequacy of the system water supply. This Permit is not valid until the Indemnification Agreement is signed within 60 days of the hearing date by both the Permittee, Moo Land Incorporated, and MPWMD. [Rule 22-D-1-d]
6. Permittee shall comply with District rules relating to water Well registration, metering and annual reporting of production (MPWMD Rules 52 and 54). [Rule 22-D-1-e; Rule 22-D-2]
7. Permittee shall report production by the Water Meter Method (MPWMD Rule 56) for the Well(s) designated in Condition #4. [Rule 22-D-1-e; Rule 22-D-2]
8. Permittee shall comply with all MPWMD water efficiency rules that pertain to CAW customers, as applicable, (e.g., Regulations XIV and Regulation XV). [Rule 22-D-1-f]
9. No new Connections to the Permitted System may be set until a Water Permit has been secured from MPWMD for each Connection in accordance with MPWMD regulations governing issuance of Water Permits. [Regulation II, Permits]
10. Any Intensification of Use within the Permitted System shall require a Water Permit pursuant to MPWMD Regulation II.
11. Any new Water Gathering Facilities, Source of Supply, expansion of Service Area boundaries, changed conditions regarding water service by other entities, increase in the System Limits set in Condition #3, or other changes described in MPWMD Rule 22-E shall require a Permit to amend the Permitted System. [Rule 22-E]
12. The Main CAW System and any other water system intended to provide regular (non-emergency) service to the Parcels shall be allowed without amending this WDS Permit pursuant to Rule 22-E.
13. A back-flow protection device to prevent contamination of the CAW system is not required. [Rule 22-D-1-h]
14. Upon District approval of this Permit, Permittee shall pay to the District the invoiced cost for MPWMD staff, attorney, and consultant time spent to process the Permit subsequent to the



application date, if required. Actual costs will be compared to the initial Application Fee. The Permittee will be separately provided documentation to support the invoiced amount. This Permit is not valid until payment for the invoiced amount is received by MPWMD. The payment must be received within 60 days of the hearing date. [Rule 22-D-1-1]

15. Upon finalization of these Conditions, the Permittee shall sign and notarize an Acceptance of Permit Conditions Form associated with the approval of the Permitted System amendment. By signing the form, Permittee acknowledges that Permittee understands and accepts these conditions as a binding part of the Permit approval and agrees to carry them out faithfully. The Acceptance Form must be received within 60 days of the hearing date for this Permit to remain valid. [Rule 22-D-1-m]
16. Permittee shall disclose to any future Owner, successors and assigns of the property described in Condition #1 the requirements for the Permitted System associated with this Permit. MPWMD shall be advised in a timely manner of any changes in system ownership, system name, or other substantive changes to the system to facilitate accurate record-keeping. [Rule 22-D-2]
17. Permittee shall execute a Notice of Agreement prepared by MPWMD regarding the limitation on water use as set forth in these conditions. Permittee shall pay all fees associated with preparation, review and recording of the Notice of Agreement. The Notice of Agreement must be signed and notarized by the Permittee and accepted by the Monterey County Recorder. [Rule 22-D-1-n]
18. Upon notice to the Permittee in writing, e-mail or by telephone, reasonable access shall be given to MPWMD staff or its designated representative to inspect and document Water-Gathering Facilities and Water-Measuring Devices, obtain hydrogeologic data, and take readings from Water Measuring Devices within the Permitted System. [Rule 22-D-1-o]
19. The Permit granted herein is subject to revocation in the event the Permittee does not fully comply with each condition set forth in this Permit. [Rule 22-D-1-p]

Other Standard Conditions of Approval

20. Nothing in this Permit shall be construed to grant or confirm any water right.
21. This Permit does not authorize any act that results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code Sections 2050 to 2097) or the



federal Endangered Species Act (16 U.S.C.A. Sections 1531 to 1544). If a “take” will result from any act authorized under this Permit, the Permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this Permit.

Special Conditions of Approval

22. CAW shall submit a Tier 2 Advice Letter to the California Public Utilities Commission, pursuant to General Order 96-B, for a service extension into contiguous areas.
23. For the Well(s) identified in Condition #4, Permittee shall provide quarterly reports of water delivered to APNs 189-411-009-000 and 189-411-010-000.

ATTACHMENT 1- Parcel Map

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Attachment 1



SCALE: 1 IN.=300 FT.

