



## California Groundwater Association

*An NGWA Affiliate State*

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### California Groundwater Association Applauds Court Decision To Halt Unlicensed Drilling by Public Entity

The 5<sup>th</sup> District Court of Appeals has halted the unlicensed drilling of water wells by a public entity in a lawsuit involving the California Groundwater Association (CGA) and the Semitropic Water Storage District (Semitropic) in Kern County. The Court ruled that public entities, such as water storage districts, are not exempt from drilling water wells without a C-57 license as specified in Water Code Section 13750.5. “The Court’s decision is a major step in protecting the state’s groundwater” noted CGA Executive Director Mike Mortensson. “Just being a public entity does not guarantee that the entity has the requisite skills and knowledge to drill water wells. That’s why we brought action in this matter and we are extremely pleased with the Court’s reversal of the lower court’s ruling.” remarked Mortensson. CGA had filed the lawsuit in 2008 after Semitropic began to drill its own wells and refused to halt such actions.

Semitropic contended it was exempt from Water Code 13750.5 as it was a public entity, a property owner and had engineering skills to construct wells. The Court rejected those contentions noting the C-57 license requirement was imposed in Water Code Section 13750.5 which contained no exemptions and did not reference any of the exemptions to the Contractors State Licensing Law. The Court’s decision, made on November 9, is Case No. F056823 and is entitled *California Groundwater Assn. v Semitropic Water Storage Dist.* Semitropic has the right to file an appeal to the California Supreme Court.