

RULES AND REGULATIONS
OF THE
BEAUMONT BASIN WATERMASTER

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1 GENERAL PROVISIONS

1.0 In General

In general, Watermaster will strive to accomplish as many of its specific duties as is feasible and practical by entering into agreements with the Parties for the performance of those duties (e.g., meter installation, testing and maintenance, meter reading, water level measurement, etc.). Nothing herein shall conflict with the terms of the Judgment.

1.1 Definitions

The terms used in these Rules and Regulations shall have the same meanings as set forth in Section 1, Paragraph 3 of the Judgment, unless the context shall clearly indicate a different meaning. The following additional terms are defined for the purposes of these Rules and Regulations:

- (a) "Annual or Year" means a fiscal year, July 1 through June 30 following, unless the context shall clearly indicate a different meaning.
- (b) "Judgment" means the Judgment Pursuant to Stipulation Adjudicating Groundwater Rights in the Beaumont Basin dated February 4, 2004 in the Riverside Superior Court, Case No. 389197.
- (c) "Salt Credits" means an assignable credit that may be granted by the Regional Water Quality Control Board and computed by the Watermaster from activities that result from the removal of salt from the Basin, or that result in a decrease in the amount of salt entering the Basin. Salt Credits may be used by Appropriators to facilitate implementation of the Beaumont Basin Water Resources Management Plan and as an offset against potential impacts associated with discrete projects. This does not preclude development of Salt credits by Appropriators implementing projects through agreements with their users.
- (d) "Watermaster" and "Watermaster Committee" means the 5-member committee composed of persons nominated by the City of Banning, the City of Beaumont, the Beaumont-Cherry Valley Water District, the South Mesa Mutual Water Company and the Yucaipa Valley Water District, each of whom shall have the right to nominate one representative who shall be an employee of or consultant to the nominating agency.

2 ADMINISTRATION

2.0 Principal Office

The principal office of the Watermaster shall be:

Office of the Watermaster Secretary
c/o Beaumont-Cherry Valley Water District
560 Magnolia Avenue
Beaumont, CA 92223

or at such other location as may be designed from time-to-time by the Watermaster by resolution.

2.1 Records

All records of the Watermaster shall be available for public inspection pursuant to the California Public Records Act, except as otherwise provided by law. Copies of such records may be obtained upon payment of the cost of duplication.

2.2 Meetings of the Watermaster

The Watermaster shall conduct regular meetings on the first Wednesday of every even numbered month. Special meetings and workshops may be called as necessary to conduct the business of the Watermaster. All meetings of the Watermaster shall be open in public and conducted in accordance with the provisions of the California Open Meeting Law (Brown Act).

2.3 Quorum

A majority of the 5-member committee acting as the Watermaster shall constitute a quorum for the transaction of business.

2.4 Voting Procedures

Only action by affirmative vote of a majority of the members of the Watermaster Committee shall be effective.

2.5 Employment of Experts and Agents

The Watermaster may employ or retain such administrative, engineering, geologic, accounting, legal or other specialized personnel and consultants as it may deem appropriate.

2.6 Acquisition of Facilities

The Watermaster may purchase, lease and acquire all necessary real and personal property, including facilities and equipment.

2.7 Investment of Funds

The Watermaster may hold and invest all Watermaster funds in investments authorized from time-to-time for public agencies of the State of California, pursuant to a Statement of Investment Policy adopted by the Watermaster Committee.

2.8 Borrowing

The Watermaster may borrow, from time-to-time, amounts not exceeding annual receipts (payments on funds borrowed to implement Watermaster projects and programs must be included in Watermaster assessments such that they are part of Watermaster's annual receipts).

2.9 Contracts

The Watermaster may enter into contracts and agreements for the performance of any of its powers, and may act jointly or cooperate with agencies of the United States, the State of California, or any political subdivisions, municipalities, special districts or any person.

2.10 Budgets

The Watermaster shall prepare a proposed annual administrative budget for the upcoming fiscal year for Watermaster review. The Watermaster shall hold a public hearing on each such budget prior to adoption. Budgets shall be prepared in sufficient detail so as to make a proper allocation of the expenses and receipts. The adopted budget shall be funded in the upcoming year through assessments made pursuant to the Judgment. Expenditures within budgeted items may thereafter be made by the Watermaster as a matter of course (Judgment p.22, lines 3-5).

2.11 Assessments

Pursuant to the Judgment, Watermaster is empowered to levy and collect the following assessments:

- (a) Annual Replenishment Assessments. The Watermaster shall levy and collect assessments in each year, in amounts sufficient to purchase replenishment water to replace Overproduction by any Party from the prior fiscal year. Replenishment assessments shall be collected not later than October 1 of each year. Under no circumstances shall Overlying Parties be required to pay assessments for pumping in an amount up to that set forth in column 4 of Exhibit B of the Judgment, subject to Section III of the Judgment.

- (b) Annual Administrative Assessments. Annually, not later than the June meeting of the Watermaster, a General Administrative Budget shall be adopted for the ensuing fiscal year for the purpose of funding General Administration Watermaster Expenses. The General Watermaster Administration Expenses shall include office rent, labor, supplies, office equipment, incidental expenses and general overhead. General Watermaster Administration Expenses will be assessed equally among the Appropriators who have appointed representatives to the Watermaster (Judgment, p. 19, lines 21-27).
- (c) Special Project Assessments. Special Project Assessments will be levied to cover special project expenses including: special engineering, economic or other studies, litigation expenses, meter testing or other major operating expenses. Each such project shall be assigned a task order number and shall be separately budgeted and accounted for. Special Project Expenses shall be allocated to the Appropriators, or portion thereof, on the basis of benefit. This may be accomplished through the identification and implementation of Special Project Committees. A Specific Project Committee may involve a specific Party or any group of Parties, provided that no Party shall be involved without its approval (Judgment, p. 20, lines 1-9). Special Project Assessments shall be invoiced upon approval of a budget and a scope of work for a Special Project by Project Committee.
- (d) Supplemental Assessments. Supplemental Assessments may be levied based on incurring unbudgeted or unforeseen expenses as approved by Watermaster. Examples include Special Project expenses for litigation in which Watermaster has taken action to participate. All Supplemental Assessments shall reference the Watermaster action authorizing same and be invoiced within one week of the Watermaster action.
- (e) Assessment Procedure. Assessments shall be levied and collected as follows:
- i. Notice of Assessment. The Watermaster shall give written notice of all applicable assessments to each producer in the form of an invoice.
 - ii. Payment. Each assessment shall be payable on or before thirty (30) days after the date of invoice, and shall be the primary obligation of the party or successor owning the water production facility at the time written notice of assessment is given, even though prior arrangement for payment by others has been made in writing and filed with the Watermaster.
 - iii. Delinquency. Any delinquent assessment shall incur a late charge of 10% per annum (or such greater rate as shall equal the average current cost of borrowed funds to the Watermaster) from the due date thereof.
 - iv. Assessment Adjustments. The Watermaster shall make assessment adjustments as necessary for the reporting period as either a credit or a debit in the next occurring assessment period unless otherwise reasonably decided by the Watermaster.
 - v. Collection of Delinquent Assessments. The Watermaster may bring suit in a Court having jurisdiction against any Producer for the collection of any delinquent assessments and interest thereon. The Court, in addition to any delinquent assessments, may award interest and reasonable costs including attorneys' fees.

- (f) Salt Credits. Watermaster may establish a method of calculating salt credits in the future as part of a conjunctive use program or as part of the maximum benefit objectives demonstration program for discrete projects.

2.12 Annual Report

A draft annual report shall be prepared by May and final report shall be prepared by July of each year. At a minimum, the annual report will describe Watermaster's operations, assessments and expenditures, and a review of Watermaster activities. The annual report shall also include a summary report describing and updating any basin condition information collected or analyzed and a current active party list.

2.13 Basin Condition Report

The Watermaster shall prepare, at least once every two years, a "state of the groundwater basin" report including an update on the status of monitoring, storage and water quality.

2.14 Interventions

Any Person who is neither a Party to the Judgment nor a successor or assignee of a Party to the Judgment may seek to become a party to the Judgment by filing a petition in intervention. Watermaster will provide a standard form for interventions should the need arise, and will report on any such interventions in its annual report. Interveners shall have no water rights under the Judgment (unless acquired from an Appropriator Party).

2.15 Notice and Waiver of Notice

Pursuant to the Judgment, each Party shall designate, in writing, the name and address to be used for purposes of all subsequent notices and services under the Judgment. Such designation may be changed by filing a written notice with the Watermaster. Any Party desiring to be relieved of receiving notices of Watermaster activity may file a waiver of notice on a form to be provided by the Watermaster. Watermaster staff shall maintain, at all times, a current list of Parties to whom notices are to be sent and their addresses for the purposes of service as well as a current list of the names and addresses of all parties or their successors and assigns. Copies of such lists shall be available to any Person.

2.16 Watermaster Alternates

To ensure consistency in the administration of the affairs of the Watermaster, the members of the Watermaster Committee will endeavor to attend all meetings of the Watermaster. However, from time-to-time the press of business may prevent such regular attendance. Therefore, the members of the Watermaster agencies may appoint an alternate member to the Watermaster Committee who, in the absence of the regular member, shall, if present, participate in a meeting of the Watermaster the same as if the alternate member were a regular member of the Watermaster Committee. Each alternate member must hold a senior management position within the organization of the appointing Watermaster member agency.

3 MONITORING

3.0 Scope

The Watermaster will carry out the monitoring activities described in the Beaumont Basin Management Plan and such policies and procedures as may be deemed necessary by the Watermaster. Any such policies and procedures shall be adopted at regular or special meetings of the Watermaster and reported in the Watermaster's annual report.

3.1 Measuring Devices

Groundwater production shall be monitored by measuring devices and/or meters (hereinafter collectively, "meter" or "meters"), as follows:

- (a) Meter Installation. Except as otherwise provided by agreement, such necessary meters as Watermaster may deem appropriate shall be installed as follows:
 - i. New Wells:
 - 1. Appropriator Wells. A meter shall be installed on each new Appropriator well by the Appropriator and at the Appropriator's expense concurrently with the installation of the pump.
 - 2. Overlyer Wells. A meter shall be installed on each new Overlyer well by the Watermaster and at the Watermaster's expense concurrently with the installation of the pump.
 - ii. Existing Wells. Meters shall be installed on existing wells as soon as practicable by the Watermaster at the Watermaster's expense.
- (b) Meter Maintenance. The Watermaster shall, at its expense, perform routine maintenance on all well meters in the Beaumont Basin.
- (c) Inspection, Testing, Repair and Retesting. Meters shall be inspected and tested as deemed necessary by the Watermaster and the cost thereof borne by the Watermaster. The Watermaster may contract for a meter testing service or with an Appropriator for meter inspection and/or testing. Any Producer may request an evaluation of any or all of its water meters at any time; provided, however, the Watermaster shall only pay for tests initiated by the Watermaster. Meter repair and retesting will be a Producer expense (Judgment, pp. 18-19, lines 28 – 7).

3.2 Reporting By Producers

Each Producer producing in excess of 10 acre-feet per year shall file with the Watermaster on forms provided therefore, a monthly report of its total water production during the preceding calendar month, together with such additional information as the Watermaster may reasonably require (including power

use records, if unmetered). The report shall be due on the fifteenth (15th) day of the month next succeeding the end of each respective month. Appropriators shall report groundwater levels and Overlying Owner production along with such additional information as may be necessary to complete the Watermaster monitoring program through Agreements with the Watermaster. Producers producing 10 acre-feet or less per year shall file an annual report of their total water production during the preceding fiscal year by the 15th of July of each year on forms provided therefore.

3.3 Groundwater Level Measuring and Reporting Procedures

The watermaster will carry out all groundwater measuring activities in accordance with the procedures identified hereafter and in accordance with the Groundwater Elevation Monitoring Guidelines issued by the California Department of Water Resources (DWR, 2010) for the California Statewide Groundwater Elevation Monitoring (CASGEM) program and the Monitoring Protocols, Standards, and Sites Best Management Practices issued by DWR to assist in the development of monitoring protocols for Groundwater Sustainability Plans (DWR, 2016).

To the extent possible, groundwater level monitoring events shall be coordinated so that measurements are taken in the late spring and late fall to record the annual highs and lows, respectively, in groundwater levels in the Beaumont Basin.

3.3.1 Communication and Planning

The Beaumont Basin Watermaster and representatives of the Watermaster will conduct the following procedures to coordinate the collection of water level data with all stakeholders owning a well that is part of the Beaumont Basin groundwater monitoring network:

- 1) Notification of the intent of the Watermaster to access the respective party's well to collect a water level measurement will be provided via email, text message, or phone call two weeks, at a minimum, before the data collection event.
- 2) Verification of receipt of the notification and authorization by the well owner granting access to the well shall be obtained by the Watermaster and Watermaster representative via email, text message or phone call at least three days prior to accessing the well.
 - a) The Watermaster and/or Watermaster representative will follow up with an email, text message or phone call should the well owner not respond within three days of the groundwater monitoring event.
 - b) All forms of correspondence shall be documented (e.g., record date and time of text message delivery).
- 3) All efforts shall be made by the Watermaster representative to accommodate the schedule of the well owner to access the well within the two-week period set for the groundwater monitoring event,

and to provide the well owner the opportunity to observe the collection of data at their respective well.

- 4) Digital and hard copies of the groundwater level measuring and reporting procedures shall be made available at the well owner's request at the time of data collection.
- 5) Arrangements, to the extent possible, shall be made with the well owner to collect a static water level measurement per Section 3.3 (d)(c). This may include requesting that the well be idle for 24 hours, at a minimum, prior to measuring the water level.

3.3.2 Monitoring Well Network

3.3.2.1 Existing Wells

The monitoring well network used by the Watermaster for purposes of characterizing groundwater conditions in the Beaumont Basin shall include all accessible production and monitoring wells owned by the Appropriators, Overlying Parties, and other stakeholders. The following highlight the minimum requirements for existing wells to be included in the Beaumont Basin monitoring well network:

- 1) Wells in the monitoring network shall be screened in the unconsolidated Quaternary alluvium and upper portion of the San Timoteo Formation, together comprising the water-bearing aquifer of the Beaumont Basin.
- 2) Groundwater level measurements shall be taken from a clearly marked and permanent reference point on the top of a sounding tube, well casing, or other permanent feature.
- 3) Reference points shall be surveyed by a California licensed surveyor. The survey shall include the following details:
 - a) Well locations (center point of well casing) shall be referenced to the North American Datum of 1983 (NAD83) and reported in decimal degrees for latitude and longitude.
 - b) Elevations shall be referenced to the North American Vertical Datum of 1988 (NAVD88) with an accuracy, at a minimum, of 0.5 foot. The following features, if applicable, shall be surveyed at each well point:
 - (1) Top of Well Casing or Sounding Tube (i.e., TOC)
 - (2) Top of protective steel riser or monument cover
 - (3) Land surface

3.3.2.2 New Wells

New wells installed in the Beaumont Basin shall be equipped with dedicated sounding tubes (if a production well) or have open casing to facilitate the use of a water level metering device to measure

groundwater elevations. The new well shall be constructed to accommodate the installation of a 7/8-inch diameter dedicated pressure transducer. The following highlight the minimum requirements for new wells to be included in the Beaumont Basin monitoring well network:

- 1) Well construction details and survey results by a licensed surveyor shall be shared with the Beaumont Basin Watermaster and included in the well network database for the Beaumont Basin.
- 2) New wells that are screened fully or partially in the unconsolidated Quaternary alluvium and upper portion of the San Timoteo Formation, together comprising the water-bearing aquifer of the Beaumont Basin, will be included in the monitoring well network for the Beaumont Basin.
- 3) Groundwater level measurements shall be taken from a clearly marked and permanent reference point on the top of a sounding tube, well casing, or other permanent feature.
- 4) Reference points shall be surveyed by a California licensed surveyor. The survey shall include the following details:
 - a) Well locations (center point of well casing) shall be referenced to the North American Datum of 1983 (NAD83) and reported in decimal degrees for latitude and longitude.
 - b) Elevations shall be referenced to the North American Vertical Datum of 1988 (NAVD88) with an accuracy, at a minimum, of 0.5 foot. The following features, if applicable, shall be surveyed at each well point:
 - i) Top of Well Casing or Sounding Tube (i.e., TOC)
 - ii) Top of protective steel riser or monument cover
 - iii) Land surface

3.3.3 Groundwater Water Level Measuring Devices

3.3.3.1 Electric Water Level Sounder

Where possible, groundwater levels shall be manually measured with an electric water level sounder calibrated to the nearest 0.01 ft. All equipment must be in good working condition. No damaged or refurbished electric sounding tape should be used, unless specifically approved by the Watermaster.

3.3.3.2 Dedicated Pressure Transducers

Dedicated pressure transducers shall be installed in monitoring and production wells identified as key wells for administration of the Judgement. The pressure transducers shall be installed below the groundwater level and pressure-rated for the range of anticipated groundwater level fluctuations due to seasonal fluctuations and/or groundwater production.

Dedicated pressure transducers shall be equipped with a datalogger that is programmable to measure and record water levels at a desired frequency. Each dedicated pressure transducer shall measure absolute pressure in units of pounds per square inch (psia) and/or feet of water. The Watermaster shall use separate pressure transducers dedicated to measure barometric pressure in units of psia and/or feet of water to provide a general characterization of barometric pressure in the Beaumont Basin.

3.3.4 Manual Groundwater Level Measurements

The following procedures shall be used to measure and record manual groundwater level measurements in the field.

3.3.4.1 Water Level Form

- 1) Upon arrival at each well site, the field technician shall note the following information on a standardized Water Level Field Form (see Appendix A):
 - a) Name of well owner
 - b) Well Identifier (e.g. well owner name, State Well ID)
 - c) Date (mm/dd/yyyy) and time (24 hr) of measurement
 - d) Climate conditions (e.g., sunny, light breeze, air temp is 80 °F, etc.)
 - e) Type of well (e.g., municipal, monitoring, agricultural, etc.)
 - f) Status of water level and/or well: Static, Recovering (i.e., rising), Pumping, Artesian (i.e., flowing), Falling.
 - g) Time since pumping stopped (i.e., idle time) if well was previously active.
 - h) Method of water level measurement (e.g., electric water level sounder, airline, sonic, dedicated pressure transducer)
 - i) Field technician and/or representative measuring the water level
 - j) Any additional comment
- 2) Use one Water Level Field Form for each well. If possible, the same field form should be used at each well during each monitoring event.

3.3.4.2 Water Level Status

Where possible, groundwater level measurements must be representative of static (i.e. non-pumping) groundwater level conditions. To ensure measurements of static groundwater levels in active pumping

wells, the field technician collecting the data shall coordinate, verify, and/or confirm that the pump has been off for at least 24 hours prior to collecting the data (wherever possible).

3.3.4.3 Decontamination

All water level measuring equipment shall be cleaned prior to lowering it into the well(s) using the following decontamination procedure:

- a) Wash equipment with an Alconox solution which is followed by a deionized water rinse.
- b) Triple rinse equipment with deionized water.

3.3.4.4 Electric water level sounder

3.3.4.4.1 Before making a measurement

- 1) Inspect the sounding tape for wear, kinks, frayed electrical connections, and possible stretch. Make a notation in the Water Level Field Form documenting any wear or other issues that possibly affect measurements with the electric water level sounder.
- 2) Test that the battery and replacement batteries are fully charged.
- 3) Test the circuit by dipping the probe into tap water and observe whether the sounder indicator turns on and/or makes a sound to indicate the circuit is closed when in contact with water.

3.3.4.4.2 Making the Measurement

- 1) Lower the electrode probe slowly into the designated sounding port for production wells and into the main well for monitoring wells. Lower the probe until the circuit is closed and contact with the water surface in the well is made.
- 2) Measure the depth-to-water (DTW) by placing the sounder tape next to the dedicated and clearly marked reference point on the top of the sounding tube or well casing. Measure the DTW to the nearest 0.01-foot. The DTW shall be recorded as feet below reference point (or ft brp).
- 3) Lift the probe slowly a few feet and make second measurement by repeating the step above. If the 2nd measurement is more than 0.02 feet different from the first measurement, collect and record a third measurement. If more than two measurements are taken, record the average of all reasonable readings.
- 4) If the groundwater level is not static, stay at the well long enough (if reasonable time allows) for a static groundwater level. If that wait is more than 1 hour or not possible, make ten (10) or more measurements at 1-minute minimum intervals to document the rate of groundwater level rise or fall per 5 minutes for the non-static measurements. If necessary, use additional sheets of the Water Level Field Form to document all measurements. Document possible reason for the rise or fall of the water level in the comment section.

- 5) All DTW measurements shall be immediately recorded on the Water Level Field Form (see Appendix A). The DTW shall be compared to previous measurements in the field and re-measured if significantly different.
 - a) If the DTW measurement appears incorrect or anomalous, provide the possible reason or recommend follow-up actions so that future measurements are representative of actual conditions at the well.

3.3.4.4.3 After Making the Measurement

- 1) The sounder tape and electrode probe shall be wiped down during retrieval from the sounding tube or well using a clean paper towel or disinfectant wipe.
- 2) If oil is noticeable on the sounder tape and/or electric probe, its presence and apparent thickness, if possible, shall be noted in the Water Level Field Form. The CASGEM Guidelines note that, "oil on the surface of the water may interfere with obtaining consistent readings and could damage the electrode probe." An alternative method may be necessary to obtain an accurate water level measurement.
- 3) Refer to Section 3.3.4.3 for disinfection procedures.
- 4) The cap to the sounding tube or well shall be replaced.
- 5) Where applicable, the riser shall be secured with the dedicated lock.
- 6) Prior to leaving the monitoring well site, the field representative shall note any physical changes in the concrete well pad and riser pipe, such as erosion, cracks, or damage. All changes shall be recorded on the Water Level Field Form.
- 7) Whenever possible, an electric water level sounder should be used to measure the DTW in a well. The use of an airline or sonic water level meter should only be used when well conditions do not allow for electric water level sounder measurements.

3.3.4.5 Airline Measurements

Airline measurements are an acceptable alternative to measuring DTW in a well in the following cases:

- 1) There is no access port or sounding tube available to allow access of an electric water level sounder to measure the DTW.
- 2) No dedicated pressure transducer has been installed and calibrated to measure and record water levels
- 3) At the time of installation, the DTW measured by the airline was calibrated to a water level measured using an electric water level sounder or steel tape.

- 4) The airline extends a minimum 10 feet below the lowest anticipated water level in the well.
- 5) The airline is the only method for measuring a water level that the well can accommodate.

3.3.4.5.1 Making the Measurement

DTW measurements using an airline will be collected per the following (Cunningham et al., 2011):

- 1) The depth to the open end of the airline and length of the airline is known. The airline is secure and not subject to freely move in the well.
- 2) The pressure gauge is calibrated and covers the anticipated range in pressure fluctuations associated with water level fluctuations anticipated in the well due to seasonal and/or pumping effects.
- 3) The accuracy of the airline measurement must be documented in the Water Level Field Form. The typical accuracy using a pressure gauge is approximately 1 foot.

3.3.4.6 Sonic Water Level Meter

- 1) Sonic water level meter procedures vary by meter manufacturer. Refer to the meter operating instructions for procedures.

3.3.4.6.1 Making the Measurement

- 1) In general, use of a sonic meter requires an access port that is 5/8-inch or greater in diameter and a measurement of the average air temperature in the well casing.
 - a) The typical accuracy of a sonic meter is 0.2 feet for water levels less than 100 feet or 0.2% for water levels deeper than 100 feet.
 - b) Sonic water levels should not be used if the casing diameter is greater than 8-inches in diameter, air temperature inside the well is not known, there is an obstruction in the well casing that is close to half the well diameter or more, and there is no cover surrounding the meter in open wells.

3.3.5 Automatic Groundwater Level Measurements

3.3.5.1 Installation of Dedicated Pressure Transducers

- 1) Before installing a pressure transducer in a well, the water level in the well shall be confirmed at a static condition using an electric water level sounder (see Section 3.3.4.2 and 3.3.4.4) and no pumping from the well has occurred in the previous 24 hours.

- 2) The dedicated pressure transducer shall be lowered below the water level in the well to a depth within the transducer's pressure rating. The device shall be set at a depth to accommodate the anticipated fluctuations in the water level due to seasonal effects and pumping (if applicable).
- 3) Once the desired depth setting of the pressure transducer is set, the transducer shall be secured to the wellhead, casing, or other permanent structure.
- 4) A real-time reading of the pressure head (in feet of water) from the pressure transducer shall be collected and documented once it has been set and given time to equilibrate to the temperature of the water.
- 5) The measured DTW by the electric sounder shall be added to the height of water measured above the transducer's sensor to calculate the depth of the pressure transducer from the well's reference point.
- 6) The depth the transducer is set below the reference point, the make, model, and serial number of the pressure transducer, and battery life remaining (or usage) at time of deployment shall be recorded in a Water Level Field Form.

3.3.5.2 Installation of barometric pressure transducers

- 1) Barometric pressure transducers shall be installed in the protective steel casings of wells, well houses, or other protected structure that is open and/or in contact with the atmosphere.
- 2) The location of the barometric pressure transducer, the make, model, and serial number of the pressure transducer, and battery life remaining (or usage) at time of deployment shall be recorded in a Water Level Field Form.

3.3.5.3 Frequency of Water Level Measurements

- 1) Dedicated pressure transducers equipped with internal dataloggers shall be programmed to measure and record water levels in units of psi or feet of water at a frequency of once per hour at the top of the hour.
- 2) Water level data will be downloaded from each pressure transducer at least once every three months.
- 3) During each download session, the field technician will also obtain a manual groundwater level measurement to verify transducer readings and ensure that the instruments are working properly.

3.3.5.4 Frequency of Barometric Pressure Measurements

- 1) Barometric pressure transducers shall be programmed to measure and record barometric pressure in units of psi or feet of water at a frequency of once per hour at the top of the hour.

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- 2) In the event any pressure transducer assembly must be removed from any particular well for download, the removed assembly shall be disinfected in accordance with decontamination procedures outlined under Section (c)d.

4 OPERATING YIELD, SAFE YIELD AND NEW YIELD

4.0 Redetermination of Operating Yield

The Operating Yield of the Beaumont Basin shall be redetermined annually by the Watermaster.

4.1 Redetermination of Safe Yield

The Safe Yield of the Beaumont Basin shall be redetermined at least every ten (10) years beginning 10 years after the date of entry of the Judgment (Judgment p. 22, lines 6-9).

4.2 New Yield

In order to encourage maximization of Basin water under the Physical Solution, New Yield shall be accounted for by the Watermaster in interim periods between re-determinations of Safe Yield.

- (a) New Yield includes proven increases in yield in quantities greater than the historical level of contribution from certain recharge sources may result from changed conditions including, but not limited to, the increased capture of rising water, increased capture of available stormflow, and other management activities that occur after February 20, 2003, as determined by Watermaster (Judgment, p. 4, lines 1-5). These increases are considered New Yield.
- (b) Recharge with new locally generated water shall be credited as New Yield to the Party that creates the new recharge. The Watermaster shall make an independent scientific assessment of the estimated New Yield to be created by each proposed project based upon monitoring data. The cost of the Watermaster scientific assessment of the New Yield shall be borne by the Party applying to create it.
- (c) New Yield shall be allocated on an annual basis, based upon monitoring data and review by the Watermaster. (Judgment, p. 21, lines 14-20).

4.3 Losses or Spills from the Basin

Water in Storage may be subject to losses. The Watermaster shall determine if losses are occurring and report its findings in the first Basin Condition Report. If losses are occurring, Watermaster shall determine how much water is being lost. Supplemental Water stored pursuant to Groundwater Storage Agreements shall be lost prior to Basin water (i.e., unused operating safe yield) held in Storage by a Party to the Judgment.

5 RECHARGE

5.0 In General

All Groundwater Recharge activities in the Beaumont Basin shall be subject to the Watermaster Rules and Regulations

- (a) The Watermaster shall calculate additions, extractions and losses, and maintain an annual account of all recharged water in the Beaumont Basin, and any losses of water supplies or Safe Yield resulting from such recharged water (p. 21, lines 9-13).
- (b) The owners of existing publicly-owned recharge facilities shall cooperate with the Watermaster to expand, improve and/or preserve recharge facilities. The Watermaster shall cooperate with appropriate entities to construct and operate new recharge facilities.
- (c) The Watermaster shall account for all sources of recharge and shall provide an annual accounting of the amount of recharge and the location of the specific types of recharge.
- (d) The Watermaster may determine to prepare a Recharge Master Plan, which Plan shall be periodically updated to account for changed conditions.
- (e) The Watermaster may arrange, facilitate and provide for recharge by entering into contracts with appropriate persons, who may provide facilities and operations for the physical recharge of water.

5.1 Application to Recharge Supplemental or New Yield Water

All recharge of Supplemental or New Yield Water shall be subject to Watermaster approval obtained by an application made to the Watermaster to protect the integrity of the Beaumont Basin.

5.2 Notice of Pending Applications

Upon receipt of an application, the Watermaster staff shall prepare a written summary and analysis of each such application. The application, along with the written summary and analysis shall be distributed to the Producers and any other interested parties not less than 21 days prior to the date the Watermaster is scheduled to consider and take action on the pending application. The cost of the summary and analysis of each application shall be borne by the applicant.

5.3 Watermaster Investigations of Applications

The Watermaster may, in its discretion, cause an investigation of the subject of a pending application. Any party to the proceeding may be requested to confer and cooperate with the Watermaster's staff

and consultants, and to provide such additional information and data as may be reasonably required to complete the investigation.

5.4 Sources of Supplemental Water

Supplemental Water may be obtained by the Watermaster from any available source. The Watermaster shall, however, seek to obtain the best quality of Supplemental Water at the most reasonable cost for recharge. Available sources may include, but are not limited to:

- (a) Maximum beneficial use of Recycled Water, which shall be given a high priority by the Watermaster;
- (b) State Project Water;
- (c) Local Imported Water through facilities and methods for importation of surface and groundwater supplies from adjacent basins and watersheds;
- (d) Available supplies of Metropolitan Water District;
- (e) Stormwater recharge projects.
- (f) Other Imported Water.

5.5 Method of Replenishment

The Watermaster may accomplish replenishment by any reasonable method, including spreading and percolation, injection of water in existing or new facilities, in-lieu delivery arrangements and acquisition of unproduced water.

6 STORAGE

6.0 In General

A substantial amount of available groundwater storage capacity exists that is not used for storage or regulation of basin waters. It is essential that the use of storage capacity be undertaken only under Watermaster control and regulation so as to protect the integrity of the Beaumont Basin. The Watermaster shall exercise regulation and control of storage primarily through the execution of Groundwater Storage Agreements.

6.1 Relationship Between Recapture and Storage

Recapture of water held in a storage account will generally be approved by the Watermaster as a component of and coincident with a Groundwater Storage Agreement. However, the Watermaster may approve a Groundwater Storage Agreement where the plan for recovery is not yet known. In such cases, the applicant for a Groundwater Storage Agreement may request Watermaster approval of the Agreement and subsequently submit and process an independent Application for Recapture to the Watermaster.

6.2 Storage of Water

Storing Supplemental Water for withdrawal, or causing withdrawal of water unused and stored in prior years, shall be subject to the terms of a Groundwater Storage Agreement with the Watermaster. Any Water recharged by any person is deemed abandoned and shall not be considered water stored except pursuant to these Rules and Regulations and a Groundwater Storage Agreement.

6.3 Application for Storage of Water

The Watermaster will ensure that any Person, including, but not limited to, the State of California and the Department of Water Resources, shall make an application to the Watermaster to store and recover water as provided herein. The Watermaster shall also ensure that sufficient storage capacity shall be reserved for local projects implemented by the Appropriators.

6.4 Contents of Groundwater Storage Agreements

Each Groundwater Storage Agreement shall include, but not be limited to, the following components:

- (a) The quantities and term of the storage right, which shall specifically exclude credit for any return flows;
- (b) A statement of the priorities of the storage right as against overlying, Safe Yield uses, and other storage rights;

- (c) The projected delivery rates, together with projected schedules and procedures for spreading, injection or in-lieu deliveries of Supplemental Water for direct use;
- (d) The calculation of storage water losses and annual accounting for water in storage; and
- (e) The establishment and administration of withdrawal schedules, locations and methods.

6.5 Notice of Pending Applications

Upon receipt of an application, the Watermaster staff shall prepare a written summary and analysis of each such application. The application along with the written summary and analysis shall be distributed to the Producers and any other interested parties not less than 21 days prior to the date the Watermaster is scheduled to consider and take action on the pending application. The cost of the written summary and analysis of each such application shall be borne by the applicant.

6.6 Watermaster Investigations of Applications

The Watermaster may, in its discretion, cause an investigation of the subject of a pending application. Any party to the proceeding may be requested to confer and cooperate with the Watermaster's staff and consultants, and to provide such additional information and data as may be reasonably required to complete the investigation.

6.7 Accounting for Water Stored

The Watermaster shall calculate additions, extractions and losses of all water stored and any losses of water supplies or Safe Yield resulting from such water stored, and keep and maintain for public record an annual accounting thereof.

7 ADJUSTMENTS OF RIGHTS

7.0 In General

In General, Overlying Parties shall have the right to exercise their respective Overlying Water Rights except to the extent provided in Section III, Paragraph 3, entitled Adjustment of Rights, of the Judgment. (Judgment, p. 8, lines 12-14).

- (a) To the extent any Overlying Party requests, and uses its adjudicated water rights to obtain water service from an Appropriator Party, an equivalent volume of potable groundwater shall be earmarked by the Appropriator Party which will serve the Overlying Party, up to the volume of the Overlying Water Rights as reflected in Column 4 of Exhibit “B” of the Judgment, for the purpose of serving the Overlying Party. (Judgment, p. 8, lines 15-27).
- (b) When an Overlying Party receives water service as provided for in paragraph 7(a), the Overlying Party shall forebear the use of that volume of the Overlying Water Right earmarked by the Appropriator Party. The Appropriator Party providing such service shall have the right to produce the volume of water foregone by the Overlying Party, in addition to other rights otherwise allocated to the Appropriator Party. (Judgment, p. 8, line 28– p. 9, line 7).
- (c) Should the volume of the Overlying Water Right equal or exceed the volume of portable groundwater earmarked as provided in paragraph 7(a), the Appropriator Party which will serve the Overlying Party shall:
 - i. Impose potable water charges and assessments upon the Overlying Party and its successors in interest at the rates charged to the then-existing regular customers of the Appropriator Party, and
 - ii. Not collect from such Overlying Party any development charge that may be related to the importation of water into the Beaumont Basin.
- (d) If an Appropriator Party provides recycled water to serve an overlying use served with groundwater, then the Overlying Water Right shall not be diminished by the receipt of recycled water.

7.1 Notice of Adjustment of Rights from an Overlying Pumper to an Appropriator

The Overlying Pumper and Appropriator shall complete a Notice of Adjustment of Rights (Form 5 – Notice to Adjust Rights of an Overlying Party due to Proposed Provision of Water Service by an Appropriator) and file it with the Watermaster.

- (a) Accounting for Transfers. Watermaster shall maintain an accounting of acquisitions by Appropriators of water otherwise subject to Overlying Water Rights as the result of the provision of water service by an Appropriator. The Watermaster shall maintain an accounting

of all transfer, and such accounting shall be included in the Annual Report and other relevant Watermaster reports as appropriate.

7.2 Transfer of Water Between Appropriators

Any Appropriator may transfer all or any portion of its Appropriator's Production Right or Operating Yield that is surplus to its needs to another Appropriator in accordance with these Rules and Regulations. The Watermaster shall maintain an accounting of all transfers, and such accounting shall be included in the Annual Report and other relevant Watermaster reports as appropriate.

7.3 Availability of Unused Overlying Production and Allocation to the Appropriator Parties

Except as provided for in Section 7.0 herein, to the extent that groundwater pumping by an overlying party to the Judgment does not exceed five times the share of safe yield assigned to the overlying party during any five-year period (see column 4 of Exhibit B to the Judgment), the amount of groundwater not produced by such overlying party pursuant to its rights under the Judgment shall be available for allocation to the appropriator parties in accordance with their respective percentage shares of unused safe yield (see column 3 of Exhibit C to the Judgment). The availability and allocation of any such groundwater not produced by the overlying parties in accordance with their rights under the Judgment shall be first determined in fiscal year 2008/09 and every year thereafter. The table below illustrates the allocation process anticipated in the Judgment.

Available Unused Overlying Production in Fiscal	Will be Allocated to the Appropriator Parties in Fiscal
2003/04	2008/09
2004/05	2009/10
2005/06	2010/11
2006/07	2011/12
2007/08	2012/13
2008/09	2013/14
2009/10	2014/15
2010/11	2015/16
2011/12	2016/17
2012/13	2017/18

Groundwater not produced by the overlying parties in accordance with their rights under the Judgment and determined to be available for allocation to the appropriator parties pursuant hereto may be utilized by the appropriator parties in accordance with the terms of the Judgment and these Rules and Regulations. Neither this rule nor its operation shall be deemed or construed in any way to change, limit or otherwise affect any rights awarded to and held by the overlying parties pursuant to the Judgment. Nor shall this rule or its operation result in any liability to the overlying parties or be deemed or construed as a transfer, assignment, forfeiture or abandonment of any overlying rights under the Judgment.

8 COORDINATION WITH THE SAN GORGONIO PASS WATER AGENCY AND OTHER AGENCIES

8.0 In General

The San Gorgonio Pass Water Agency (“Agency”) was established by the California Water Uncodified Act No. 9099. The Agency has contracted with the California Department of Water Resources to import as much as 17,300 acre feet of water from the California State Water Project. As of 2004, the Agency is importing, at its sole cost and expense, up to 2,000 acre feet of State Water Project water per year for recharge in the Beaumont Basin.

8.1 Potential Conflict

The Agency has expressed concern that the exercise of its powers may conflict with the powers of the Watermaster, a concern that the Watermaster has acknowledged.

8.2 Coordination of Water Resources Management Activities

The Judgment provides that any Person may make reasonable beneficial use of the Groundwater Storage Capacity for the storage of Supplemental Water; provided however that no such use shall be made except pursuant to a written Groundwater Storage Agreement with the Watermaster. (Judgment, p. 15, lines 17-21). Therefore, in order to minimize the potential for conflict, the Watermaster is authorized to coordinate with the Agency, or other agencies such reasonable Groundwater Storage Agreements. Each such Agreement shall address (for example) whether the management activity that is the subject matter of the Agreement will increase or deplete water supplies, enhance or impair water quality, is engineeringly feasible, and whether it will provide the greatest public good with the least private injury.

9 REVIEW PROCEDURES

9.0 In General

Nothing in the Judgment or these rules and regulations shall be deemed to prevent any party from seeking judicial relief against any other party whose pumping activities constitute an unreasonable interference with the complaining party's ability to extract groundwater. Any and all disputes between and among the Producers and/or the Watermaster shall be addressed expeditiously and resolved, if possible, amicably, in accordance with the following procedures.

9.1 Complaints or Contesting an Application

Any Producer or interested person may file a written complaint with the Watermaster concerning matters other than applications to recharge (Section 5), or store (Section 6), or contest an application to recharge or store water. The written complaint or objection shall describe the basis for the complaint or objection and the underlying facts and circumstances. Such complaint or objection shall be filed with the Watermaster at least fourteen (14) days before the item is to be agendaized for the Watermaster Committee. The Watermaster staff shall provide notice of the complaint or objection to all interested parties.

- (a) Answering the Complaint or Objection. At the discretion of the affected Party, a written answer to a complaint or objection may be filed at the time it is presented to the Watermaster Committee for consideration. In lieu of immediately answering the complaint or objection, the Party may request a reference to a two-member subcommittee of the Watermaster for review, discussion, and potential resolution prior to the item being agendaized for Watermaster consideration.
- (b) Continuance for Good Cause. An affected Party may also request a continuance to a subsequent Watermaster meeting (without reference to a subcommittee) and the request may be granted by the Watermaster's staff where good cause exists.
- (c) Investigation by Watermaster. The Watermaster may, in its discretion, cause an investigation of the subject matter of the complaint. Any party to the proceeding may be requested to confer and cooperate with the Watermaster, its staff or consultants to carry out such investigations, and to provide such information and data as may be reasonably required.
- (d) Uncontested Applications. The Watermaster shall consider and may approve or deny any uncontested application to recharge or store water at a regularly-scheduled meeting of the Watermaster. Where good cause appears, the Watermaster may also, conditionally approve, or continue an uncontested application to a future meeting. If the Watermaster staff recommendation to the Watermaster is to deny an application it shall first be referred to a two-member subcommittee of the Watermaster for review, discussion and potential resolution with the applicant.

- (e) Judicial Review. Any action, decision, rule or procedure of the Watermaster shall be subject to review by the Court on its own motion or on timely motion by any Party as follows:
- i. Effective Date of Watermaster Action: Any order, decision or action of the Watermaster pursuant to the Judgment or these Rules and Regulations on noticed specific agenda items shall be deemed to have occurred on the date of the order, decision or action.
 - ii. Notice of Motion for Judicial Review: Any Party May, by a regularly noticed motion, petition the Court for review within 90 days of the action or decision by Watermaster, except motions for review of assessments under the Judgment shall be filed within 30 days of mailing of the notice of the assessment. The motion shall be deemed to be filed and served when a copy, conformed as filed with the Court, has been delivered to the Watermaster staff, together with a service fee sufficient to cover the cost of photocopying and mailing the motion to each Party. The Watermaster staff shall prepare the copies and mail a copy of the motion to each Party or its designee according to the official service list that shall be maintained by the Watermaster staff pursuant to the Judgment. Unless ordered by the Court, any petition shall not operate to stay the effect of any Watermaster action or decision which is challenged.
 - iii. De Novo Nature of Proceeding: Upon filing of a petition to review a Watermaster action, the Watermaster shall notify the Parties of a date when the Court will take evidence and hear argument. The Court's review shall be de novo and the Watermaster decision or action shall have no evidentiary weight in such proceeding.
 - iv. Decision: The decision of the Court in such proceedings shall be an appealable Supplemental Order in this case. When it is final, it shall be binding upon the Watermaster and the Parties.

10 WATERMASTER FORMS

10.0 In General

In order to facilitate and expedite the performance of its duties, the Watermaster may, from time-to-time, develop standardized forms for the transaction of business. Such forms shall be adopted by minute action of the Watermaster Board.

10.1 Approved Forms

The following standardized forms shall be used, except when good cause exists for the use of a customized format:

- 1) Application for Groundwater Storage Agreement.
- 2) Groundwater Storage Agreement.
- 3) Application for Recharge.
- 4) Application (or Amendment to Application) to Recapture Water in Storage.
- 5) Notice to Adjust Rights of an Overlying Party due to Proposed Provision of Water Service by an Appropriator.
- 6) Request for Notice or Waiver of Notice and Designation of Address for Notice and Service.
- 7) Notice of Transfer of Appropriator Production Right or Operating Yield Between Appropriators.
- 8) Transfer of Right to Recapture Water in Storage Between Appropriators.
- 9) Water Level Field Form

11 REFERENCES

California Department of Water Resources (DWR), 2010. Groundwater Elevation Monitoring Guidelines. December 2010.

California Department of Water Resources (DWR), 2016. Monitoring Protocols, Standards, and Sites BMP, Best Management Practices for the Sustainable Management of Groundwater. December 2016.

Cunningham, W.L., and Schalk, C.W., comps., 2011, Groundwater Technical Procedures of the U. S. Geological Survey: U. S. Geological Survey Techniques and Methods 1-A1, 151 p.

- END OF RULES AND REGULATIONS -