

# **BEAUMONT BASIN WATERMASTER**

For

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

V.

CITY OF BANNING, ET AL  
(CASE NO. RIC 389197)

## **THIRD ANNUAL REPORT OF THE BEAUMONT BASIN WATERMASTER FY 2005-06**



**December 2006**

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# OVERVIEW OF JUDGMENT AND WATERMASTER

## Background and History

In January 2001, the San Timoteo Watershed Management Authority (STWMA) was formed by the Beaumont Cherry Valley Water District (BCVWD), the City of Beaumont (Beaumont), the South Mesa Water Company (SMWC) and the Yucaipa Valley Water District (YVWD) because of their common interest in the San Timoteo Watershed. Once formed, the STWMA began a watershed-wide, multi-phase effort to develop and implement a comprehensive San Timoteo Watershed Management Program (STWMP). Phase 1 included describing the areas' water resources, establishing goals concerning the needs and issues identified to protect and enhance these resources and affirming a management plan to accomplish the goals. This is documented in the San Timoteo Watershed Management Program, Phase 1 Report (March 2002), and its successor, the updated and re-titled Integrated Regional Water Management Program (IRWMP) for the San Timoteo Watershed (June 2005). The five goals include:

- Enhance basin water supplies;
- Protect and enhance water quality;
- Optimize management of the STWMA area groundwater basins;
- Protect riparian habitat in San Timoteo Creek and protect/enhance habitat in the STWMA area;
- Equitably distribute the benefits and costs of developing a San Timoteo Watershed Management Program (STWMP).

The process also identified initiatives or program elements necessary to achieve these goals. Program Element 5 called for the STWMA members to establish a groundwater management entity for the Beaumont Basin. Two groups representing appropriator and overlying interests began negotiations in May 2002, to implement this program element.

A Stipulated Judgment was developed and submitted to the Court as a result of the negotiations. The Honorable Judge Gary Tranbarger of the Superior Court of the State of California for the County of Riverside, signed the Stipulated Judgment titled "*San Timoteo Watershed Management Authority, vs. City of Banning, et al.*," Case No. RIC 389197, on February 4, 2004. Pursuant to the Judgment, the Court appointed a five-member Watermaster committee consisting of representatives from the cities of Banning and Beaumont, the BCVWD, the YVWD, and the SMWC. The effective date of the Judgment for accounting purposes is July 1, 2003. The Beaumont Basin encompasses approximately 26 square miles, has a safe yield of approximately 8,650 acre-feet, a total storage capacity of over a million acre-feet, and up to 200,000 acre-feet of storage capacity available for conjunctive use.

The Court extended much of the responsibility regarding management of the Beaumont Basin to the Watermaster by approving the Stipulated Judgment. The Court retained continuing jurisdiction should there be any need in the future to resolve difficult questions. The primary responsibilities of the Watermaster are outlined below. A copy of the Judgment and other information regarding the Watermaster is available at [www.beaumontwatermaster.org](http://www.beaumontwatermaster.org).

## Responsibilities of Watermaster

The Beaumont Basin Watermaster is responsible to administer adjudicated water rights and manage groundwater resources for the Beaumont Groundwater Basin. With numerous Appropriators and Overlying producers relying on the Beaumont Groundwater Basin, there is a need for coordinated management of the Basin, which is provided by Watermaster as summarized below.

**Administer the Beaumont Basin Judgment.** Watermaster operates under the Judgment and a formal set of Rules and Regulations (and any revisions thereto), which were adopted on June 8, 2004. Together, the Judgment and the Rules and Regulations establish the procedures by which Watermaster acts to account for the water resources in the Beaumont Basin. In order to fund its operations, Watermaster collects both administrative and replenishment assessments from the parties to the Judgment.

**Approve Producer Activities.** Producers must notify and obtain approval, as necessary, from Watermaster for activities such as producing water; recharging or spreading water; transferring or exchanging water; storing local water; and storing or recovering supplemental water.

**Develop Contracts for Beneficial Programs and Services.** Watermaster is responsible to develop and enter into contracts for programs and services that are beneficial to the Basin on behalf of the parties to the Judgment. This includes programs to conjunctively utilize the Basin for storage of supplemental water with other entities such as the Department of Water Resources or San Geronio Pass Water Agency, and the direct and indirect use of recycled water.

**Maintain and Improve Water Supply.** Watermaster determines the amount of groundwater that each producer is entitled to extract annually without incurring a replenishment obligation for the succeeding fiscal year. Watermaster manages and controls the replenishment of water supplies in the Basin. It acquires and spreads replenishment water as needed. It approves and facilitates the storage of supplemental water in the Basin.

**Maintain and Improve Water Quality.** Watermaster coordinates or participates in local efforts to preserve and restore the quality of groundwater in the Basin. It assists and encourages regulatory agencies to enforce water quality regulations affecting the Basin.

**Monitor and Understand the Basin.** Watermaster collects relevant data from producers including production, water level, water quality, and other data. Watermaster uses the data to expand its knowledge of how the basin works to more effectively manage the Basin. It prepares an annual report of Watermaster operations, including financial and engineering information summary reports for the Court and all interested parties.

**Provide Cooperative Leadership.** Watermaster helps develop and implement plans regarding the management of the Basin.

In summary, Watermaster in carrying out its duties is responsible to provide a legal and practical means for making the maximum reasonable beneficial use of the waters of the Beaumont Basin, to facilitate conjunctive utilization of surface, ground and supplemental waters, and to satisfy the requirements of water users having rights in or who are dependent upon the Beaumont Basin.

## **Mission Statement**

Watermaster adopted Resolution 2004-06 entitled “*Resolution of the Beaumont Basin Watermaster Adopting a Watermaster Mission Statement and Supporting Principles*” at its October 19, 2004 meeting. From that Resolution:

*“Watermaster’s mission is to manage the yield of and storage within the Beaumont Basin to provide maximum benefit to the people dependent on it”.*

## Watermaster Committee Representatives

The Parties to the Judgment did not designate new representatives during the fiscal year. Pursuant to Part VI, Paragraph 4 of the Judgment, (pg. 16 – 17), Watermaster Committee representatives were nominated by the cities of Banning and Beaumont, the BCVWD, the YVWD, and the SMWC. The Court received and approved the nominations on March 8, 2004.

The Committee Representatives, who are all employees or consultants of their nominating agency, are as follows:

Banning, City of	Paul Toor, Director of Public Works
Beaumont, City of	Deepak Moorjani, Director of Public Works
Beaumont Cherry Valley Water District	Charles Butcher, General Manager
South Mesa Water Company	George Jorritsma, General Manager
Yucaipa Valley Water District	Joseph B. Zoba, General Manager

## ACTIVITIES OF WATERMASTER

### Meetings

The Beaumont Watermaster met quarterly to transact Watermaster business during its third year of operation under the Judgment. Two special meetings were called in addition to the regularly scheduled quarterly meetings. Meetings were held at the City of Banning City Hall located at 99 East Ramsey, Banning, California 92220, unless otherwise noticed. Meetings of the Watermaster Committee were held on:

July 12, 2005  
September 20, 2005  
January 10, 2006  
February 7, 2006 (at BCVWD offices)  
March 27, 2006  
April 17, 2006 (at BCVWD offices)  
June 13, 2006

The Committee Officers continued to serve as they had in the previous year as follows:

Chairman	George Jorritsma
Vice Chairman	Deepak Moorjani
Secretary	Charles Butcher
Treasurer	Joseph B. Zoba

Mr. J. Andrew Schlange continued to serve as the Chief of Watermaster Services; Mr. Joseph S. Aklufi continued as the Watermaster's Legal Counsel; and Mr. Mark Wildermuth of Wildermuth Environmental, Inc (WEI) continued as the Watermaster Engineer.

The Watermaster continued with administering and implementing the Judgment during its third year of operation, as discussed in more detail below by subject matter. Copies of the agendas and approved minutes of each of the above meetings can be viewed or downloaded on the Watermaster website ([www.beaumontwatermaster.org](http://www.beaumontwatermaster.org)).

Informal meetings continued regarding potential cooperative efforts among the parties and others for use of the Beaumont Basin in addition to the formal Watermaster Committee meetings listed above. The informal meetings were held or attended by the Chief of

Watermaster Services, members of the Watermaster Committee, the Watermaster Engineer and the Watermaster Legal Counsel and others such as representatives from the Department of Water Resources (DWR), San Geronio Pass Water Agency (SGPWA), and other potential users of the Beaumont Basin storage capacity.

### **Watermaster Address**

For purposes of conducting Watermaster business and maintenance of records, Watermaster's official address remains as follows:

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

## **ADMINISTRATION OF THE JUDGMENT**

### **Accounting for Production**

One of the Watermaster's primary responsibilities is to account for production from the Beaumont Basin. Producers who produce less than 10 acre-feet per year, otherwise known as minimal producers, are exempt from the provisions of the Judgment unless otherwise ordered by the Court (Part III, Paragraph 4, pg. 12). Therefore, Watermaster does not collect production information from minimal producers other than those participating in the Judgment. A location map of the wells in the Beaumont Basin is included as Appendix A-1.

There are five Appropriator Producers participating in the Judgment: Banning, Beaumont, the BCVWD, the SMWC, and the YVWD. An Appropriator's annual production right consists of:

- "the Appropriator's share of operating safe yield, plus
- (1) any water acquired by an Appropriator from an Overlying Producer or other Appropriator pursuant to the Judgment,
- (2) any water withdrawn from the Appropriator's storage account, and
- (3) New Yield created by the Appropriator" (Part I, Paragraph 3B, pg. 2).

The Appropriator's annual production right represents the maximum quantity of water an Appropriator can produce from the Beaumont Basin each year without incurring a replenishment obligation. It includes the Appropriator's share of the temporary surplus (Part I, Paragraph 3M, pg. 4). The temporary surplus is defined in the Judgment as "the amount of groundwater that can be pumped annually in excess of safe yield from a groundwater basin necessary to create enough additional storage capacity to prevent the waste of water" (Part I, Paragraph 3BB, pg. 6). The temporary surplus in the Beaumont Basin may not exceed 160,000 acre-feet over a 10 year period, or 16,000 acre-feet per year (Exhibit C of the Judgment).

Appendix A-2 shows the monthly production by each Appropriator Producer for the fiscal year. It also shows their total annual production, their projected share of the operating safe yield from Exhibit C of the Judgment, and the amount of unused water that is projected to be eligible for storage. Pursuant to the Judgment (Part I, Paragraph 3B, pg. 2), and a separate agreement that is on file with the Watermaster, the BCVWD continued to pump water for Banning during the fiscal year.



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Producers who use water on the overlying land are called Overlying Producers. Overlying Producers are assigned a share of the Basin's safe yield and may not use more than five times their share of safe yield in any five year period (Part II, Paragraph 1A, pg. 6). Production estimates for Overlying Producers for the current fiscal year can be found in Appendix A-3. The Watermaster engineer reported that several of the Overlying Producer wells were not metered, or that meters may not have been working properly at the September 2005, Watermaster meeting. He recommended using a water duty method that is routinely used to estimate production in the absence of metered production. The water duty method estimates production based on the type of use and the total acreage to which water was applied. The Watermaster committee members concurred and requested that revised production estimates be developed for prior years as appropriate and brought back for discussion.

Revised production estimates were discussed at the January 10, 2006, Watermaster meeting. The Watermaster accepted these production estimates and concurred with their use in Appendix A-3, subject to receipt of better information from the affected Overlying Producers. A letter was sent to the affected Overlying Producers informing them of these revised production estimates and requesting them to provide better information, if available, within 60 days. Watermaster did not receive any responses to the letter.

A summary of annual production from the Beaumont Basin by producer is shown in Table 1.

Table 1  
Summary of Beaumont Basin Production

Producer	Fiscal Year Production (acre-feet)		
	2003-04	2004-05	2005-06
<b>Appropriator</b>			
Banning	3,951	2,420	1,768
Beaumont	0	0	0
Beaumont-Cherry Valley WD	6,204	6,316	7,625
South Mesa Water Co.	420	558	632
Yucaipa Valley Water District	2,034	1,285	1,530
<b>Subtotal</b>	<b>12,609</b>	<b>10,579</b>	<b>11,555</b>
<b>Overlying Producer</b>			
Beckman, Walter M.	27	27	83
California Oak Valley Golf & Resort LLC	1,227	1,350	1,471
Merlin Properties	6	6	6
Oak Valley Partners, LP	503	400	476
Plantation on the Lake	321	313	327
Rancho Calimesa MHP	59	59	59
Roman Catholic Bishop	78	72	72
Sharondale Mesa Owners Association	167	163	186
So. Calif. Prof. Golfer's Assoc.	1,413	1,369	1,385
Sterns, Leonard M. and Dorthy D.	1	1	1
Sunny-Cal Egg and Poultry Co.	452	452	0
<b>Subtotal</b>	<b>4,254</b>	<b>4,212</b>	<b>4,064</b>
<b>Total</b>	<b>16,863</b>	<b>14,791</b>	<b>15,619</b>



Beginning in 2010, and each year thereafter, any water allocated as part of the safe yield to the Overlying Producers during the prior five years that remains unused will be reallocated to the Appropriator Producers. The unused water will be reallocated based on each Appropriator's percent share of operating safe yield as shown in Exhibit C of the Judgment.

### **Active Party List**

Under Part VII, Paragraph 1 of the Judgment, "the Watermaster 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. The Watermaster shall also maintain a full current list of names and addresses of all Parties or their successors, as filed herein. Copies of such lists shall be available to any Person." These lists are commonly referred to as the Watermaster's "Active Party List". A copy of the list is posted on the Watermaster website and included as Appendix B of this annual report. The list in Appendix B also includes "interested parties" in addition to "active parties". "Interested parties" are those persons or entities that are not parties to the Judgment, but that have requested Watermaster to include them on the Watermaster mailing list to remain current on Watermaster activities.

Under the Judgment, any Party desiring to be relieved of receiving notices of Watermaster activities can complete the Waiver of Notice and Designation of Address for Notice and Service portion of the form adopted by the Watermaster. Watermaster did not receive any Waiver of Notice requests during its third year of operation.

### **Annual Administrative Budget**

YVWD staff serves as the Watermaster Treasurer. Watermaster adopted an administrative budget for fiscal year 2005-06 at its June 14, 2005 meeting. A proposed budget was discussed the May 10, 2005 meeting. A copy of the "Final Year End Report for the Beaumont Basin Watermaster FY 2005-2006 Budget Member Contributions and Expenses" is included as Appendix C of this annual report.

### **Annual Audit**

Under the Judgment, Part VI, Paragraph 6(b), Watermaster's annual report of operations shall include an audit of all assessments and Watermaster expenditures. The Watermaster assessments and expenditures are shown in Appendix C as part of the annual budget. An audit of Watermaster assessments and expenditures is conducted each year. The letter received regarding the audit is included as Appendix D of this annual report.

### **Annual Assessments**

The annual assessments are shown in Appendix C. One of the Watermaster members, SMWC, did not pay its assessments during the first two years of Watermaster operations. SMWC paid all prior assessments by the close of the fiscal year.

### **Designation of Specific Amounts of Overlying Water Rights**

Manheim, Manheim and Berman (MMB) are Overlying Producers who hold an aggregate production right with Sunny-Cal Egg and Poultry in the amount of 1,784 acre-feet under the Judgment (Exhibit B of the Judgment). The production right was combined for property that is owned separately by MMB and Sunny-Cal as listed in Exhibit D of the Judgment. MMB and Sunny-Cal requested Watermaster to disaggregate the production right by designating that 300 acre-feet is associated with all the property owned by MMB to facilitate the sale of the property. Watermaster approved their request and adopted Resolution 2006-02 at the special meeting of the Watermaster held on February 7, 2006. Resolution 2006-02 was filed with the Court on February 15, 2006 to formalize the Watermaster action (see Appendix E).

Watermaster also signed five resolutions transferring apportionments of Sunny-Cal Egg and Poultry's remaining water production rights along with the sale of land to third parties. A summary of the transfers is listed in Table 2. More detail on these resolutions can be found later in this report as well as in Appendix E. Exhibits B and D of the Beaumont Basin Watermaster Judgment were revised to reflect these changes and additions (see Appendix F).

Table 2  
Summary of Designated Overlying Water Rights

Resolution	Third Party	Parcel Number	Area (acres)	Water Right (acre-feet)
2006-04	Nick Nikodinov	407180004	9.35	20
2006-05	Ronald L. McAmis	407190018	0.93	5
2006-06	Nicolas & Amalia Aldama	407190015	1.35	7
2006-07	Hector Gutierrez, Luis Gutierrez, and Sebastian Monroy	407190013	2.01	10
2006-08	Boris & Miriam Darmont	407190014	0.50	2.5

## Employment of Experts and Agents

Watermaster continued the services of the Chief of Watermaster Services, Legal Counsel, and the Watermaster Engineer during the fiscal year. Watermaster did not retain the services of any other experts or agents during the fiscal year.

## Meter Installation

In an effort to better monitor production from the Beaumont Basin, Watermaster entered into contracts with BCVWD and YVWD during the prior fiscal year to install meters on unmetered overlying producer wells in their respective spheres of influence. One meter was installed by BCVWD during the third year of Watermaster operations.

## Resolutions

Watermaster adopted the following resolutions during the fiscal year:

- Resolution 2006-01 entitled "*A Resolution of the Beaumont Basin Watermaster Establishing Rules and Regulations Regulating the Transfer of Water Between Appropriators*" was adopted at the January 10, 2006 meeting.
- Resolution 2006-02 entitled "*A Resolution of the Beaumont Basin Watermaster Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels*" was adopted at the February 7, 2006 special meeting.
- Resolution 2006-03 entitled "*A Resolution of the Beaumont Basin Watermaster Requesting the San Geronio Pass Water Agency to Proceed with the Implementation and Construction of EBX Phase II*" was adopted at the March 27, 2006 meeting.
- Resolution 2006-04 entitled "*A Resolution of the Beaumont Basin Watermaster Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels*" (Sunny – Cal Egg and Poultry Company to Nick Nikodinou) was adopted at the April 17, 2006 special meeting.
- Resolution 2006-05 entitled "*A Resolution of the Beaumont Basin Water Master Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific*"

*Parcels.*" (Sunny – Cal Egg and Poultry to Ronald L. Mc Amis) was adopted at the June 13, 2006 meeting.

- Resolution 2006-06 entitled "*A Resolution of the Beaumont Basin Water Master Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels.*" (Sunny – Cal Egg and Poultry to Nicolas and Amalia Aldama) was adopted at the June 13, 2006 meeting.
- Resolution 2006-07 entitled "*A Resolution of the Beaumont Basin Water Master Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels.*" (Sunny – Cal Egg and Poultry to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy) was adopted at the June 13, 2006 meeting.
- Resolution 2006-08 entitled "*A Resolution of the Beaumont Basin Water Master Recognizing the Designation of a Specific Amount of Overlying Water Rights to Specific Parcels.*" (Sunny – Cal Egg and Poultry to Boris and Miriam Darmont) was adopted at the June 13, 2006 meeting.

Copies of these resolutions are included in Appendix E and referred to in the relevant sections of this annual report by subject matter.

## Rules and Regulations

Rules and regulations and forms (rules) were adopted at the June 8, 2004 Watermaster meeting. They were also included in Appendix F of the First Annual Report of the Beaumont Basin Watermaster. The rules were adopted with an understanding that proposed modifications would be considered, as necessary in FY 2005/06. Resolution 2006-01 entitled "*A Resolution of the Beaumont Basin Watermaster Establishing Rules and Regulations Regulating the Transfer of Water Between Appropriators*" amended Section 7 of the Watermaster Rules and Regulations to clarify the reporting requirement for the transfer of water between Appropriators. Forms 7 and 8 entitled, "*Transfer of Water Between Appropriators*" and "*Transfer of Rights to Recapture Water in Storage Between Appropriators*" respectively, were also developed for this purpose. The amended rules and forms were adopted at the February 7, 2006 special meeting of the Watermaster.

Watermaster also approved several changes to Form 2, entitled "*Groundwater Storage Agreement*" at its January 10, 2006 meeting. Copies of the amended Section 7 and of forms 2, 7 and 8 are included in Appendix G of this annual report. The Watermaster Handbook has been updated appropriately to reflect these changes.

## Storage Management and Use

Watermaster made significant advances in the area of storage management and use during the fiscal year as follows:

- The first applications and agreements to store unpumped appropriator production rights were approved;
- Future water demand and supply conditions in the San Geronio Pass region were agreed upon and submitted to LAFCO by all relevant local entities for the first time in Pass area history; and
- Watermaster requested the SGPWA to proceed with implementation and construction of EBX Phase II to improve the local ability to import supplemental water.

Watermaster approved applications and agreements to store unused appropriator production rights from the first two years of operations for Banning, the BCVWD, the SMWC and the YVWD at its March 27, 2006 meeting. These are the first such applications and agreements approved

by the Watermaster since the Judgment was entered. Copies of the storage applications and agreements can be found on the Watermaster's website. Table 3 below lists the quantities approved and the account balances as of July 1, 2005.

Table 3  
Appropriator Groundwater Storage Accounts

Appropriator	Storage Account Balance (acre-feet)	Storage Account Capacity (acre-feet)
Banning	3,686.5	40,000
Beaumont-Cherry Valley Water District	1,083.5	70,000
South Mesa Water Company	3,014.2	20,000
Yucaipa Valley Water District	1,027.4	5,000
<b>Total</b>	<b>8,811.6</b>	<b>135,000</b>

Discussions and meetings regarding the management and use of the Beaumont Basin storage capacity continued during the fiscal year. In 2004, the Watermaster adopted Resolution 2004-05 entitled "*A Resolution of the Beaumont Basin Watermaster Adopting an Inventory of Water Demands and Water Supplies in the San Gorgonio Pass Region*". A report entitled "*2006 Report on Water Supply Conditions in the San Gorgonio Pass Region*" was presented to Watermaster at its March 27, 2006 meeting. This 2006 report updated the prior report through the year 2030 with information from the local area 2005 urban water management plans. The Watermaster concurred with the findings in the updated report and authorized the Watermaster Chairman to sign a letter transmitting it to LAFCO. The transmittal letter was signed by representatives of 10 local entities, which is the first time in the history of the San Gorgonio Pass Region that all relevant entities have agreed on the projected supplies and demands for the area. A copy of the 2006 report is on the Watermaster's website.

Watermaster requested the SGPWA to begin the process to implement and construct EBX Phase II with Resolution No. 2006-03 adopted on March 27, 2006. The EBX Phase II project will increase the local ability to import supplemental water to the Beaumont Basin. Watermaster found it is necessary to adopt this resolution because:

- There is a pressing need to purchase imported water to offset the overdraft;
- The retail market for additional water is developing rapidly;
- The cost of construction materials, especially concrete and steel is increasing rapidly; and
- The SGPWA is not able to consummate the acquisition of imported water rights to enhance its "Table A" allocation unless it begins this process.

Watermaster recognized the need for mutual cooperation to facilitate this request and offered its support as well as the support of its member agencies when Resolution 2006-03 was submitted. The SGPWA took action on this request at its May 1, 2006 meeting.

### Subsidence Monitoring

A subsidence monitoring program was initiated by STWMA on behalf of Watermaster during the fiscal year. Watermaster adopted Resolution 2004-07 entitled "*A Resolution of the Beaumont Basin Watermaster in Support of AB303 Grant Applications That Further the Management of the Beaumont Basin*" on November 4, 2004. Program Element 1 of the IRWMP calls for development and implementation of a comprehensive monitoring program for the STWMA area, including the Beaumont Basin. Watermaster is concerned about the future potential for

subsidence that may occur as a result of past and future groundwater pumping from the Basin. On behalf of Watermaster, the STWMA developed a monitoring program to assess the occurrence of subsidence from past groundwater pumping and future pumping at the request of Watermaster. To implement this program, STWMA applied for an AB303 Grant from the DWR. Watermaster agreed to provide the local matching funds if the application was successful. The application was successful and the subsidence monitoring program was initiated during the fiscal year. Watermaster is providing approximately one-half of the local matching funds in FY 2005-06 and will provide the remaining one-half during FY 2006-07.

Preliminary results of the program indicate very little, if any, subsidence has occurred as a result of historic pumping and overdraft. The historical subsidence data (survey data and remote sensing data [InSAR]) for the period of 1928 to 2000 was compiled and analyzed, and was used to finalize locations of new survey lines that will be monitored for land subsidence, if any, that may accompany future drawdown of water levels. The Beaumont monuments have been installed and the initial ground level surveys should be completed in November 2006.

### **Watermaster Website**

Watermaster established a website in February 2004, in an effort to communicate the activities of Watermaster to the parties and the public. The website is a place where anyone can obtain or review copies of the Judgment, Rules and Regulations, meeting agendas, and meeting minutes. A new host for the website was procured, and the website was revised and updated during the fiscal year. The website will continue to evolve to include other relevant information as Watermaster continues to manage the Beaumont Basin and administer the Judgment.

### **Well Standards**




No changes were made to the Beaumont Basin Well Policy during the fiscal year. The Well Policy in effect was adopted as Resolution 2004-04 entitled "*A Resolution of the Beaumont Basin Watermaster Adopting Minimum Standards for the Construction, Reconstruction, Abandonment and Destruction of Groundwater Extraction Wells*" at the July 20, 2004, Watermaster meeting. With Resolution 2004-04, the Watermaster Committee adopted the existing Riverside County Ordinance No. 682.3 and expanded it by requiring the installation of a "sounding tube" to facilitate the measurement of water levels on all wells constructed after July 20, 2004 in the Beaumont Basin.

**APPENDIX A-1  
LOCATION MAP OF  
WELLS IN THE  
BEAUMONT BASIN**



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Main Features

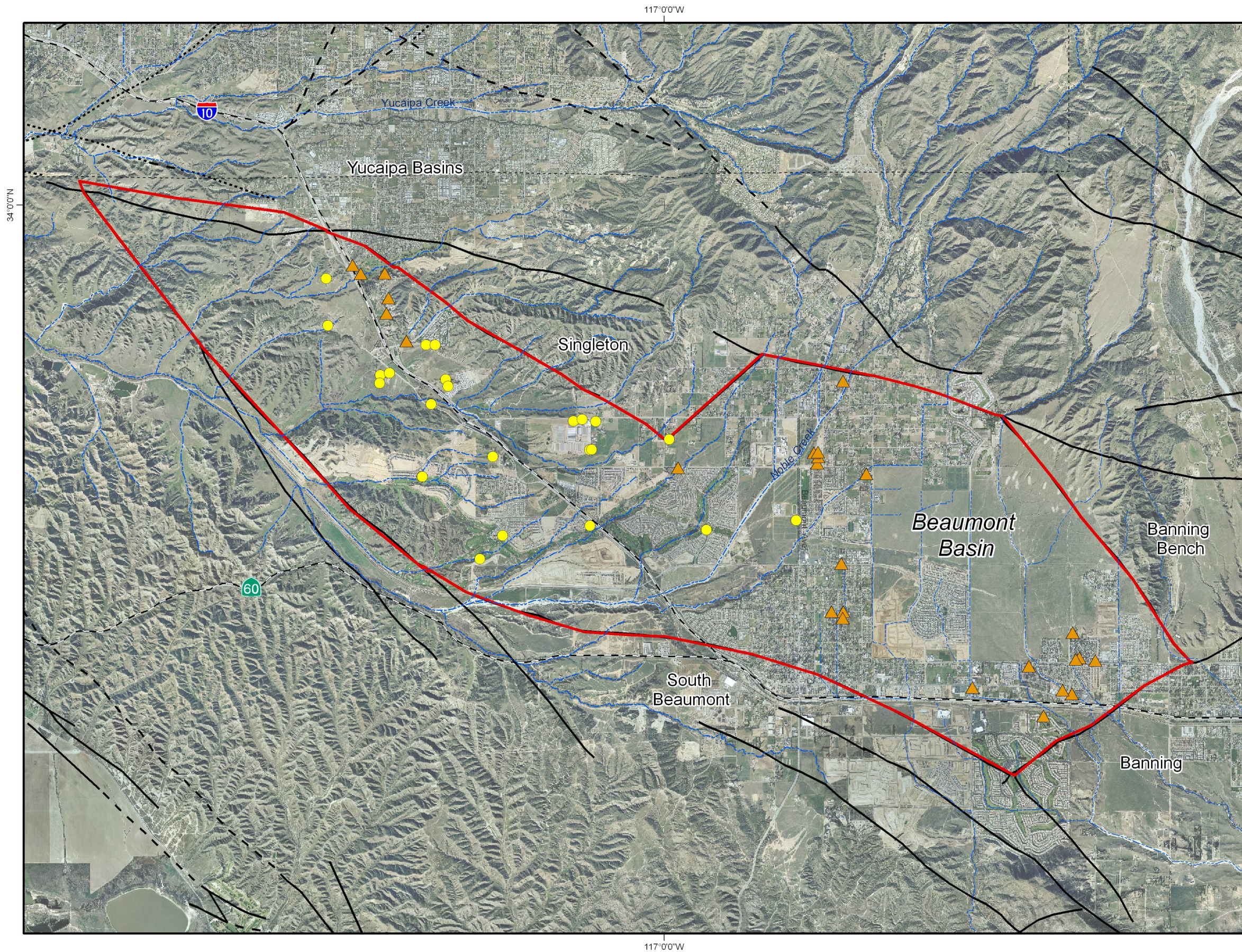
-  Appropriators
-  Overlying Producers
-  Beaumont Basin Boundary

Other Features

-  Streams

Faults & Groundwater Divides

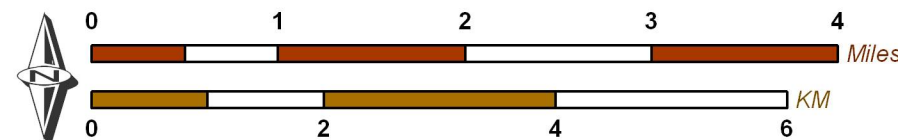
-  Location Certain
-  Location Approximate
-  Location Concealed



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Date: 20060926  
File: Appendix\_A-1.mxd



Location Map of Wells  
in Beaumont Basin

Appendix A-1



**APPENDIX A-2**  
**APPROPRIATOR PRODUCER**  
**SUMMARY OF PRODUCTION**

**Appendix A-2**  
**Appropriator Producer Summary of Production**

Well Name	Station ID	Water Production by Appropriator (acre-feet) <sup>1</sup>												Total Production	Op Safe Yield <sup>2</sup>	Eligible for Storage
		Jul 2005	Aug 2005	Sep 2005	Oct 2005	Nov 2005	Dec 2005	Jan 2006	Feb 2006	Mar 2006	Apr 2006	May 2006	Jun 2006			
Banning, City of																
Well C2-A	1004340	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
Well C3	1004377	74.8	103.3	57.1	34.4	3.6	0.7	2.0	0.1	0.9	2.6	34.8	10.5	324.8		
Well C4	1206706	60.0	50.1	54.0	32.1	1.9	28.3	6.6	40.4	1.4	19.1	11.4	12.6	317.9		
Well M3	1206700	102.4	125.8	103.3	81.4	37.7	7.7	43.8	9.9	20.4	34.1	65.8	65.5	697.6		
Well M9	1206834	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
Production from BCVWD <sup>2</sup>		55.4	34.9	0.0	0.0	4.4	117.7	1.1	28.4	0.0	0.0	74.3	111.2	427.5		
Subtotal		292.6	314.1	214.3	147.8	47.6	154.5	53.4	78.8	22.7	55.8	186.4	199.8	1,767.8	5,029	3,261
Beaumont-Cherry Valley Water District																
Well 1	1004351	165.6	144.7	100.8	103.7	157.1	173.4	51.7	0.3	1.5	0.0	105.2	215.6	1,219.5		
Well 2	1004349	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		
Well 3	1004350	168.0	141.5	97.5	37.0	43.5	0.0	0.0	0.0	0.0	0.0	83.1	194.2	764.7		
Well 16	1002938	91.3	98.1	92.5	64.8	80.8	87.0	28.7	51.3	47.6	1.9	0.0	61.7	705.5		
Well 21	1201487	291.8	278.2	214.1	160.4	240.8	264.5	176.7	132.6	8.5	1.5	28.4	360.0	2,157.5		
Well 22	1002966	47.4	0.0	0.0	0.0	14.7	124.1	60.2	65.7	35.1	1.5	45.2	140.6	534.6		
Well 23	1207328	337.0	350.7	331.6	269.0	66.0	33.5	0.8	9.1	6.1	0.1	41.6	305.7	1,751.3		
Well 24	1208224	0.0	0.0	0.0	0.0	0.0	0.0	33.4	235.3	212.4	165.6	68.0	204.5	919.2		
Production for Banning <sup>2</sup>		-55.4	-34.9	0.0	0.0	-4.4	-117.7	-1.1	-28.4	0.0	0.0	-74.3	-111.2	-427.5		
Subtotal		1,045.7	978.3	836.5	634.8	598.4	564.8	350.4	465.9	311.3	170.5	297.2	1,371.0	7,624.9	6,802	0
South Mesa Water Company																
3rd No. 4 Well	1003035	70.0	82.3	76.7	63.1	52.7	46.3	42.8	38.6	42.8	29.4	31.6	56.2	632.4		
Subtotal		70.0	82.3	76.7	63.1	52.7	46.3	42.8	38.6	42.8	29.4	31.6	56.2	632.4	1,996	1,364
Yucaipa Valley Water District																
Well 35	1003058	21.3	14.2	13.2	2.8	1.1	0.9	1.4	1.6	1.4	0.6	15.9	39.9	114.4		
Well 48	1003063	251.5	248.9	201.7	120.0	47.2	29.0	22.9	56.5	19.0	31.9	157.9	228.7	1,415.3		
Subtotal		272.9	263.1	214.9	122.8	48.3	29.9	24.3	58.1	20.5	32.5	173.8	268.6	1,529.7	2,173	643
Total		1,681.1	1,637.8	1,342.4	968.5	747.0	795.5	471.0	641.4	397.2	288.2	689.1	1,895.6	11,554.8	16,000	5,268

<sup>1</sup> All values rounded and subject to revision based on receipt of more accurate information

<sup>2</sup> Pursuant to Part I, Paragraph 3 B of the Judgment, and a separate Agreement (a copy of which is on file with the Watermaster).

**APPENDIX A-3  
OVERLYING PRODUCER  
SUMMARY OF PRODUCTION**

**Appendix A-3**  
**Overlying Producer Summary of Production**

Well Name	Station ID	Metered	Water Production Reported by Overlying Party (acre-feet)												Total <sup>2</sup> Reported Production	Estimated <sup>3</sup> Production FY 2005-06	Overlying <sup>4</sup> Water Right	Five-Year Production Right	Total Production To Date
			Jul 2005	Aug 2005	Sep 2005	Oct 2005	Nov 2005	Dec 2005	Jan 2006	Feb 2006	Mar 2006	Apr 2006	May 2006	Jun 2006					
<b>Beckman, Walter M.<sup>5</sup></b>	1206852	Yes							7.3	3.3	6.2	0.6	4.1	20.1	41.6	83.0	75	375	137
<b>California Oak Valley Golf and Resort LLC<sup>6</sup></b>																			
Oak Valley #1	1007025	Yes	92.9		29.1	122.6	81.1		73.3	32.0	65.9	34.0	44.6	166.1	741.6				
OVGC Comfort Stn	1206848	Yes	294.2		98.3	205.3	0.0		0.0	0.0	0.6	0.0	45.4	85.4	729.1				
<b>Subtotal</b>			387.1		127.4	327.9	81.1		73.3	32.0	66.5	34.0	90.0	251.5	1,470.7		950	4,750	4,048
<b>Merlin Properties<sup>7</sup></b>		No														5.6	550	2,750	18
<b>Oak Valley Partners, LP<sup>8</sup></b>																			
Singleton Ranch #5	1003075	No													300.0				
Singleton Ranch #7	1003072	Yes	0.0	0.0	0.5	7.3	13.1	11.5	7.6	9.7	14.0	24.4	28.0	49.6	165.7				
Irrigation Stokes	1201567	No													10.0				
<b>Subtotal</b>															475.7		1,806	9,030	1,379
<b>Plantation on the Lake LLC</b>	1206846	Yes	35.3	35.9	42.9	32.6	25.4	23.7	27.6	21.6	20.7	12.0	20.4	28.8	326.8		581	2,905	961
<b>Rancho Calimesa Mobile Home Park<sup>9</sup></b>		No														58.5	150	750	177
<b>Roman Catholic Bishop of San Bernardino<sup>10</sup></b>																			
Irr-Gas	1201556	No																	
Pressure	1201557	No																	
<b>Subtotal</b>																71.8	154	770	222
<b>Sharondale Mesa Owners Association</b>																			
Well No.1	1206844	Yes	7.0	12.8	13.9	9.6	4.4	5.8	5.1	6.6	2.1	4.3	8.7	14.2	94.5				
Well No.2	1206845	Yes	16.0	12.6	7.2	6.8	9.6	5.7	4.8	3.4	4.0	4.7	7.7	9.0	91.3				
<b>Subtotal</b>			23.0	25.5	21.1	16.3	14.0	11.5	9.9	10.1	6.1	9.0	16.3	23.2	185.8		200	1,000	516
<b>So Calif Section of the Professional Golfer's Association of America:</b>																			
Well A	1206995	Yes	29.9	31.9	34.3	12.6	8.2	8.1	8.4	5.7	3.1	14.3	0.6	2.9	160.0				
Well C	1206997	Yes	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0				
Well D	1206996	Yes	124.1	127.7	114.5	67.9	79.4	75.7	75.6	15.0	10.0	147.1	169.9	218.2	1,225.0				
<b>Subtotal</b>			154.1	159.6	148.7	80.4	87.5	83.8	83.9	20.7	13.1	161.5	170.5	221.1	1,385.0		2,200	11,000	4,167
<b>Stearns, Leonard M. and Dorothy D.<sup>11</sup></b>																0.9	200	1,000	3
<b>Sunny-Cal Egg and Poultry Company<sup>12</sup></b>																	1,439.5	7,197.5	904
<b>Sunny-Cal North - Manheim, Manheim &amp; Berman<sup>13</sup></b>																	300	1,500	
<b>Nikodinov, Nick<sup>14</sup></b>																	20	100	
<b>McAmis, Ronald L.<sup>15</sup></b>																	5	25	
<b>Aldama, Nicolas and Amalia<sup>16</sup></b>																	7	35	
<b>Gutierrez, Hector, Luis Gutierrez and Sebastian Monroy<sup>17</sup></b>																	10	50	
<b>Darmont, Boris and Miriam<sup>18</sup></b>																	2.5	12.5	
<b>Total</b>															3,844.0	219.8	8,650		

<sup>1</sup> All values rounded and subject to revision based on receipt of more accurate information

<sup>2</sup> Blank indicates no information was reported and production was estimated

<sup>3</sup> All production estimates where irrigation occurs use 70% irrigation efficiency for sprinkler irrigation

<sup>4</sup> Projected Maximum Production from Column 4 of Exhibit B of the Judgment

<sup>5</sup> Meter was installed in December - annual production estimate assumes January - June production is half of production total for FY 2005-06

<sup>6</sup> September production is total for August and September 2005; January production is total for December 2005 and January 2006

<sup>7</sup> Production estimated: well supplies 3 residences with approximately 0.8 acres of landscape irrigation

<sup>8</sup> Production totals for Singleton Ranch #5 and Irrigation Stokes are estimates received from Oak Valley Partners

<sup>9</sup> Production estimated: Rancho Calimesa has approximately 195 mobile homes from aerial photo - 0.3 af/yr per dwelling unit indoor use estimated

<sup>10</sup> Production estimated: wells supply water for 2 residences and sprinkler irrigates approximately 12 acres of land

<sup>11</sup> Production estimated: three residences on three parcels owned by Stearns - 0.3 af/yr per dwelling unit indoor use estimated

<sup>12</sup> The Projected Maximum Production was an aggregate right for defendants Sunny-Cal Egg and Poultry, and Manheim, Manheim & Berman(MMB)Sunny-Cal no longer doing business by 6-30-05

<sup>13</sup> Watermaster designated 300 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to MMB for parcels collectively known as Sunny-Cal North on February 7, 2006

<sup>14</sup> Watermaster designated 20 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to Nick Nikodinov on April 17, 2006

<sup>15</sup> Watermaster designated 5 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to Ronald L. McAmis on June 13, 2006

<sup>16</sup> Watermaster designated 7 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to Nicolas and Amalia Aldama on June 13, 2006

<sup>17</sup> Watermaster designated 10 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy on June 13, 2006

<sup>18</sup> Watermaster designated 2.50 af/yr of the Sunny-Cal Egg and Poultry and MMB aggregate right to Boris and Miriam Dermont on June 13, 2006

**APPENDIX B**  
**ACTIVE PARTY LIST**

## Active & Interested Party List

Mr. Paul Toor  
Public Works Director/Assistant City Manager  
City of Banning  
Post Office Box 998  
Banning, CA 92220

Mr. Chuck Butcher  
General Manager  
Beaumont Cherry Valley Water District  
560 Magnolia Avenue  
Beaumont, CA 92223

Mr. Joe Zoba  
General Manager  
Yucaipa Valley Water District  
Post Office Box 730  
Yucaipa, CA 92399

Mr. George Jorritsma,  
General Manager  
South Mesa Mutual Water Company  
Post Office Box 458  
Calimesa, CA 92320

Mr. J. Andrew Schlange  
General Manager  
San Timoteo Watershed Management Authority  
4 Crown Court  
Rancho Mirage, CA 92270

Mr. Dave Dillon  
Mr. Dee Moorjani  
Urban Logic Consultants  
43517 Ridge Park Drive, Suite 200  
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Mr. Gerry Shoaf, Esq.  
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Mr. Robert Hawkins, Esq.  
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Sharondale Mesa Owners Association  
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Mr. Ron Sullivan  
California Oak Valley Golf & Resort LLC  
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Temecula, CA 92590

Mark Knorrington  
Oak Valley Partners LP  
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Calimesa, CA 92320

Mr. Paul Singarella, Esq.  
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650 Town Center Drive, 20th Floor  
Costa Mesa, CA 92626-1925

Mr. Roger Billings  
So Cal Professional Golfers Association of America  
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Calimesa, CA 92320

Mr. Greg Wilkinson, Esq.  
Best, Best & Krieger  
3750 University Avenue, Suite 400  
Riverside, CA 92501

Mr. Steve Anderson, Esq.  
Manheim, Manheim & Berman and Sunny Cal Egg and Poultry Company  
Best, Best & Krieger  
3750 University Avenue, Suite 400  
Riverside, CA 92501

Mr. Walter M. Beckman  
38201 Cherry Valley Boulevard  
Cherry Valley, CA 92223

Mr. Fred Reidman and Mr. Richard Reidman  
Merlin Properties, LLC  
6475 East Pacific Coast Highway, No. 399  
Long Beach, CA 90803  
riedman@gte.net



Mr. Leonard Stearns  
Post Office Box 141  
Calimesa, CA 92320

Mr. Randy Van Gelder  
San Bernardino Valley Municipal Water District  
1350 South "E" Street  
San Bernardino, CA 92412-5906

Mr. Robert Reiter  
San Bernardino Valley Municipal Water District  
1350 South E Street  
San Bernardino, CA 92412-5906

Mr. Jeff Davis  
General Manager  
San Gorgonio Pass Water Agency  
1210 Beaumont, Avenue  
Beaumont, CA 92223

Mr. Mark J. Wildermuth  
President/CEO  
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23692 Birtcher Drive  
Lake Forest, CA 92630-1790

Ms. Kristal Davis Fadtker  
Wildermuth Environmental, Inc.  
23692 Birtcher Drive  
Lake Forest, CA 92630-1790

Ms. Maria Mendoza  
Wildermuth Environmental, Inc.  
23692 Birtcher Drive  
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Ms. Julie Salinas  
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560 Magnolia Avenue  
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Mr. Joe Aklufi, Esq.  
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3403 Tenth Street, Suite 610  
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Ms. Barbara Voigt  
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1210 Beaumont Ave  
Beaumont, CA 92223

Mr. Dick Larsen  
Director  
San Geronio Pass Water Agency  
1210 Beaumont Ave  
Beaumont, CA 92223

Mr. Ray Morris  
Board President  
San Geronio Pass Water Agency  
1210 Beaumont Ave  
Beaumont, CA 92223

Mr. Ray Lewis  
Director  
San Geronio Pass Water Agency  
1210 Beaumont Ave  
Beaumont, CA 92223

Ms. Patsy Reeley  
10096 Live Oak Avenue  
Cherry Valley, CA 92223

Ms. Luwana Ryan  
9574 Mountain View Ave.  
Cherry Valley, CA 92223

**APPENDIX C**  
**ADOPTED BUDGET**

**Beaumont Basin Watermaster**  
**FY 2005-2006 Budget**

<u>Acct#</u>	<u>To</u>	<u>Adopted Original Budget</u>	<u>Correction to FY 2005 Y/E Actual</u>	<u>tentative Trf #W-1005 June 2006</u>	<u>Revised Budget</u>	<u>Rev Received Exp Paid</u>	<u>Remaining to Receive or Pay</u>
<b>MEMBER CONTRIBUTIONS</b>							
--	FY 2005 Fund Balance Carryover - ACTUAL	(25,000.00)	(2,003.94)		(27,003.94)	27,003.94	0.00
--	AR - South Mesa for FY 2003/04 & 2004/05	(50,460.00)			(50,460.00)	50,460.00	0.00
3105	City of Beaumont	(38,408.00)			(38,408.00)	38,408.00	0.00
3110	Beaumont Cherry Valley WD	(38,408.00)			(38,408.00)	38,408.00	0.00
3115	Yucaipa Valley Water District	(38,408.00)			(38,408.00)	38,408.00	0.00
3120	City of Banning	(38,408.00)			(38,408.00)	38,408.00	0.00
3125	South Mesa Water Company	(38,408.00)			(38,408.00)	38,408.00	0.00
<b>TOTAL BUDGET CONTRIBUTION (REVENUE)</b>		<b>(267,500.00)</b>	<b>(2,003.94)</b>	<b>0.00</b>	<b>(269,503.94)</b>	<b>269,503.94</b>	<b>0.00</b>
<b>EXPENSES</b>						<b>Expenses Paid</b>	
5000	Interest Earned	0.00			0.00	31.23	31.23
5001	JAS Chief of Watermaster Services	51,000.00			51,000.00	(51,000.00)	0.00
5010	Misc & Meetings	10,000.00	2,003.94		12,003.94	(10,893.44)	1,110.50
5020	WEI Acquisition/Computation & Annual Report	25,000.00			25,000.00	(21,606.86)	3,393.14
5040	Annual Audit	1,500.00			1,500.00	(1,084.00)	416.00
5060	WEI General Engineering	20,000.00		5,000.00	25,000.00	(20,715.92)	4,284.08
5062	WEI Substance Monitoring Program - STWMA	95,000.00			95,000.00	(95,000.00)	0.00
5064	Meter Installation	45,000.00		(5,000.00)	40,000.00	0.00	40,000.00
5070	A&W General Legal	15,000.00			15,000.00	(9,510.00)	5,490.00
5080	Reserve	5,000.00			5,000.00	0.00	5,000.00
<b>TOTAL BUDGET EXPENSES</b>		<b>267,500.00</b>	<b>2,003.94</b>	<b>0.00</b>	<b>269,503.94</b>	<b>(209,778.99)</b>	<b>59,693.72</b>
<b>Difference of Revenue Received &amp; Expenses Paid</b>						<b>59,724.95</b>	
						<b>Cash fund Balance</b>	

## Beaumont Basin Watermaster FY 2005-2006 Budget Member Contributions and Expenses

					Savings Interest Earned	Chief of WM Services-	Misc. & Meetings -	Acq/Computation of Prod Data-	Annual Audit	General Engineering -	Substance Monitoring Prgm- STWMA	Meter Installation	General Legal	Reserves	Budget Total	
Invoice	Invoice				5000	TO#1	TO#2	TO#3								
Date	Number	Date Paid	Check #	Ck Amount	0.00	5001	5010	5020	5040	5060	5062	5064	5070	5080		
						51,000.00	12,003.94	25,000.00	1,500.00	25,000.00	95,000.00	40,000.00	15,000.00	5,000.00	269,503.94	
	Bank Charge	07/29/05		(11.01)			(11.01)								(11.01)	
07/22/05	July 2005 - A&W	07/31/05	1058	(510.00)									(510.00)		(510.00)	
07/21/05	July 2005 - JAS	07/31/05	1059	(4,250.00)		(4,250.00)									(4,250.00)	
	Bank Charge	08/31/05		(14.92)			(14.92)								(14.92)	
08/29/05	Aug 2005 - A&W	09/14/05	1060	(510.00)									(510.00)		(510.00)	
08/21/05	Aug 2005 - JAS	09/14/05	1061	(4,250.00)		(4,250.00)									(4,250.00)	
	Bank Charge	09/30/05		(20.07)			(20.07)								(20.07)	
09/27/05	Sept 2005 - A&W	09/30/05	1062	(1,800.00)									(1,800.00)		(1,800.00)	
09/26/05	Sept 2005 - JAS	09/30/05	1063	(4,250.00)		(4,250.00)									(4,250.00)	
07/31/05	WEI - #2005459 - TO#2	09/30/05	1064	(654.68)			(654.68)								(654.68)	
07/31/05	WEI - #2005460 - TO#3	09/30/05	1065	(1,852.50)				(1,852.50)							(1,852.50)	
08/31/05	WEI - #2005504 - TO#3	09/30/05	1065	(1,995.00)				(1,995.00)							(1,995.00)	
07/31/05	WEI - #2005461 - TO#4	09/30/05	1066	(348.66)						(348.66)					(348.66)	
08/31/05	WEI - #2005505 - TO#4	09/30/05	1066	(18.66)						(18.66)					(18.66)	
09/30/05	Qtr ended 9/30/05 interest			7.86	7.86										0.00	
10/15/05	Checking Service Chrg			(23.17)			(23.17)								(23.17)	
09/30/05	570459 - TO#2	10/28/05	1067	(3,463.33)			(3,463.33)								(3,463.33)	
09/30/05	WEI - #2005571 - TO#3	10/28/05	1068	(829.00)				(829.00)							(829.00)	
09/30/05	WEI - #2005572 - TO#4	10/28/05	1069	(1,501.16)						(1,501.16)					(1,501.16)	
10/28/05	Oct 2005 - A&W	10/28/05	1070	(660.00)										(660.00)	(660.00)	
11/01/05	Oct 2005 - JAS	10/28/05	1071	(4,250.00)		(4,250.00)									(4,250.00)	
10/27/05	Crabtree CPA-progress	10/31/05	1072	(1,084.00)					(1,084.00)						(1,084.00)	
11/15/05	Checking Service Chrg			(20.60)			(20.60)								(20.60)	
11/29/05	Nov 2005 - A&W	11/30/05	1073	(1,230.00)									(1,230.00)		(1,230.00)	
11/22/05	Nov 2005 - JAS	11/30/05	1074	(4,250.00)		(4,250.00)									(4,250.00)	
10/31/05	WEI - #2005632 - TO#2	11/30/05	1075	(300.00)			(300.00)								(300.00)	
10/31/05	WEI - #2005633 - TO#4	11/30/05	1075	(18.66)						(18.66)					(18.66)	
12/27/05	Dec 2005 - A&W	01/12/06	1076	(660.00)									(660.00)		(660.00)	
12/22/05	Dec 2005 - JAS	01/12/06	1077	(4,250.00)		(4,250.00)									(4,250.00)	
12/30/05	Qtr ended 12/31/05 interest			7.86	7.86										0.00	
01/30/06	Jan 2006 - A&W	02/07/06	1078	(720.00)									(720.00)		(720.00)	
01/23/06	Jan 2006 - JAS	02/07/06	1079	(4,250.00)		(4,250.00)									(4,250.00)	
12/31/05	WEI - #2005750 - TO#2	02/07/06	1080	(2,550.00)			(2,550.00)								(2,550.00)	
11/30/05	WEI - #2005651 - TO#3	02/07/06	1080	(4,417.50)				(4,417.50)							(4,417.50)	
12/31/05	WEI - #2005751 - TO#3	02/07/06	1080	(4,323.84)				(4,323.84)							(4,323.84)	
11/30/05	WEI - #2005652 - TO#4	02/07/06	1080	(18.66)						(18.66)					(18.66)	
12/31/05	WEI - #2005752 - TO#4	02/07/06	1080	(4,958.47)						(4,958.47)					(4,958.47)	
02/28/06	Feb 2006 - A&W	03/07/06	1081	(330.00)									(330.00)		(330.00)	
02/20/06	Feb 2006 - JAS	03/07/06	1082	(4,250.00)		(4,250.00)									(4,250.00)	
02/16/06	WEI - #2006057 - TO#2	03/07/06	1083	(1,584.03)			(1,584.03)								(1,584.03)	
02/16/06	WEI - #2006058 - TO#3	03/07/06	1083	(2,480.00)				(2,480.00)							(2,480.00)	
02/16/06	WEI - #2006059 - TO#4	03/07/06	1083	(4,644.52)						(4,644.52)					(4,644.52)	
03/08/06	STWMA-budget item	03/08/06	1084	(95,000.00)							(95,000.00)				(95,000.00)	
03/28/06	Mar 2006 - A&W	04/10/06	1085	(240.00)									(240.00)		(240.00)	
03/20/06	Mar 2006 - JAS	04/10/06	1086	(4,250.00)		(4,250.00)									(4,250.00)	
03/21/06	WEI - #2006121 - TO#2	04/10/06	1087	(481.60)			(481.60)								(481.60)	
03/21/06	WEI - #2006122 - TO#3	04/10/06	1087	(630.37)				(630.37)							(630.37)	
03/21/06	WEI - #2006123 - TO#4	04/10/06	1087	(918.66)						(918.66)					(918.66)	
03/31/06	Qtr ended 3/31/06 interest			7.71	7.71										0.00	
04/25/06	April 2006 - A&W	05/08/06	1088	(1,260.00)									(1,260.00)		(1,260.00)	
04/25/06	April 2006 - JAS	05/08/06	1089	(4,250.00)		(4,250.00)									(4,250.00)	
04/21/06	WEI - #2006195 - TO#2	05/08/06	1090	(373.42)			(373.42)								(373.42)	
04/21/06	WEI - #2006196 - TO#3	05/08/06	1090	(118.75)				(118.75)							(118.75)	
04/21/06	WEI - #2006197 - TO#4	05/08/06	1090	(3,686.42)						(3,686.42)					(3,686.42)	
05/30/06	May 2006 - A&W	06/19/06	1091	(690.00)									(690.00)		(690.00)	
05/25/06	May 2006 - JAS	06/19/06	1092	(4,250.00)		(4,250.00)									(4,250.00)	
05/11/06	WEI - #2006260 - TO#2	06/19/06	1093	(111.60)			(111.60)								(111.60)	
05/11/06	WEI - #2006261 - TO#3	06/19/06	1093	(3,015.00)				(3,015.00)							(3,015.00)	
06/15/06	WEI - #2006326 - TO#3	06/19/06	1093	(1,072.50)				(1,072.50)							(1,072.50)	
05/11/06	WEI - #2006262 - TO#4	06/19/06	1094	(2,800.00)						(2,800.00)					(2,800.00)	
06/15/06	WEI - #2006327 - TO#4	06/19/06	1094	(1,802.05)						(1,802.05)					(1,802.05)	
06/27/06	June 2006 - A&W	06/30/06	1095	(900.00)									(900.00)		(900.00)	
06/20/06	June 2006 - JAS	06/30/06	1096	(4,250.00)		(4,250.00)									(4,250.00)	
06/30/06	BCVWD-meter install	06/30/06	1097	(803.67)			(803.67)								(803.67)	
06/30/06	WEI - #2006347 - TO#2	06/30/06	1098	(481.34)			(481.34)								(481.34)	
06/30/06	WEI - #2006348 - TO#3	06/30/06	1099	(872.40)				(872.40)							(872.40)	
06/30/06	Qtr ended 6/30/06 interest			7.80	7.80										0.00	
				0.00											0.00	
July 05 thru June 06				FUND BALANCE	59,724.95	31.23	0.00	1,110.50	3,393.14	416.00	4,284.08	0.00	40,000.00	5,490.00	5,000.00	59,693.72
Fund Recap																
Checking Account Balance					53,550.57											
Savings Account Balance					6,174.38											
Total Fund Balance					59,724.95											

**APPENDIX D**  
**LETTER – ANNUAL AUDIT**

# CRABTREE & ASSOCIATES, CPAs

A LIMITED LIABILITY PARTNERSHIP

ROLAND H. CRABTREE (1917-1990)



The CPA Never Underestimate The Value <sup>SM</sup>

GREGORY A. SEIGLER, C.P.A.\*  
SANDEE M. TWEEDLIE, C.P.A.\*  
STEVEN J. TWEEDLIE, C.P.A.\*  
MATTHEW GLOWKA, C.P.A.  
\* SHAREHOLDERS OF PROFESSIONAL CORPORATIONS

February 26, 2007

Beaumont Basin Watermaster  
Office of the Watermaster Secretary  
c/o Yucaipa Valley Water District  
PO Box 730  
Yucaipa, CA 92399

We have examined Beaumont Basin Watermaster's compliance of all assessments and expenditures during the period of July 1, 2005 through June 30, 2006. Management is responsible for Beaumont Basin Watermaster's compliance with those requirements. Our responsibility is to express an opinion on Beaumont Basin Watermaster's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about Beaumont Basin Watermaster's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide legal determination on Beaumont Basin Watermaster's compliance with specified requirements.

In our opinion, Beaumont Basin Watermaster complied, in all material respects, with the aforementioned requirements during the period July 1, 2005 through June 30, 2006.

This report is solely intended for the information and the use of the audit committee, management, and is not intended to be and should not be used by anyone other than these specified parties.

*Crabtree & Associates, CPAs*

Certified Public Accountants



**APPENDIX E  
RESOLUTIONS**

## RESOLUTION NO. 2006-01

**A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
ESTABLISHING RULES AND REGULATIONS REGULATING  
THE TRANSFER OF WATER BETWEEN APPROPRIATORS**

Section 1. The Beaumont Basin Watermaster hereby resolves to amend Section 7 of its Rules and Regulations by adding the following Subsections thereto establishing rules and regulations governing the transfer of water between Appropriators in the Beaumont Basin.

- 7.3 Transfer of Water.** 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.
- 7.4 Watermaster Supervision and Approval.** Any proposed transfer shall be first approved by the Watermaster and implemented under Watermaster supervision.
- 7.5 Marketing Procedures.** An Appropriator wishing to transfer all or any portion of its Appropriator's Production Right may do so in any one of the following three ways:
- (a) The Appropriator may undertake its own marketing efforts and negotiate an agreement with one or more Appropriators; or
  - (b) The Appropriator may request assistance from the Watermaster to conduct a sealed bidding process among the Appropriators and award a contract to the highest bidder; or
  - (c) The Appropriator may request the Watermaster to allocate the total amount of water to be transferred to the accounts of the other Appropriators in proportion to their respective shares of the Operating Safe Yield and assess each of the Appropriators for the water at a cost not to exceed a Watermaster-approved Groundwater Replenishment Rate.
- 7.6 Disposition of Revenue.** Any revenue generated from the transfer of surplus water shall be used first to reduce or pay off delinquent Annual Administrative Assessments and Annual Replenishment Assessments, if any, and the balance shall be paid over to the transferring party. At the transferring party's option, the balance may be credited to future Assessments.
- 7.7 Accounting for Transfers.** 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.

Section 2. There are hereby adopted Form 7 entitled: *Transfer of Water Between Appropriators* and Form 8 entitled: *Transfer of Right to Recapture Water in Storage Between Appropriators*, which are attached hereto to facilitate the transfer of water between Appropriators.

Dated: 2/7/2006

BEAUMONT BASIN WATERMASTER

By George J. J. J. J.  
Chairman

ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

DOC # 2006-0112028

02/15/2006 08:00A Fee:NC

Page 1 of 3

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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RESOLUTION 2006-02

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Manheim, Manheim & Berman, a California general partnership ("MMB"), is the owner of 122 acres identified in Exhibit D of the Judgment as Assessor Parcel Nos. 407-200-009, -011 and -012 and 407-210-001, -002 and -004, which Parcels are commonly and collectively referred to as "Sunny-Cal North";

WHEREAS, MMB desires to sell Sunny-Cal North to a third party, and, in connection with such sale, to transfer 300 acre feet of Overlying Rights awarded under the Judgment to MMB and its affiliated co-defendant, Sunny-Cal Egg & Poultry Company ("Sunny-Cal");

WHEREAS, to facilitate the transfer of Sunny-Cal North to a third party, MMB and Sunny Cal desire that the Watermaster recognize that 300 acre feet of the MMB/Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on Sunny-Cal North and henceforth be placed in the name of MMB alone, or its transferee upon any sale or transfer of Sunny-Cal North. MMB and Sunny Cal further desire that the remaining 1,484 acre feet of MMB/Sunny-Cal water rights awarded under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding the MMB parcels encompassing the 122-acre Sunny-Cal North property, as described above) and henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendants MMB and its affiliate, Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of 300 acre feet of Sunny-Cal's and MMB's Overlying Water Right to Sunny-Cal North. Such 300 acre feet of Overlying Rights shall henceforth be placed in the name of MMB alone or its transferee upon any sale or transfer of Sunny-Cal North.

2. Adjusted Right. With the recognition of the designation of the 300 acre feet described in paragraph 1, above, to MMB, the Overlying Water Right of Sunny-Cal of 1,784 acre feet, as set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,484 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,484 acre feet of Overlying Water Rights shall be placed in the name of Sunny Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including, without limitation, to acknowledge the transfer of the 300 acre feet of Overlying Rights allocated herein to MMB to any purchaser of Sunny-Cal North.

5. Effective Date. The effective date of this designation is February 7, 2006.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Manheim, Manheim & Berman and  
Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502

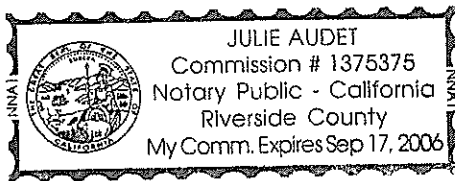
BEAUMONT BASIN WATERMASTER

By   
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA                    )  
  ) SS.  
COUNTY OF Riverside            )

On February 7, 2006, before me, Julie Audet, Notary Public, personally appeared George Torritsma, personally known to me (~~or 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 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.

WITNESS my hand and official seal.



Julie Audet  
Notary Public in and for said County and State

(S E A L)

RESOLUTION NO. 2006-03

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
REQUESTING THE SAN GORGONIO PASS WATER AGENCY  
TO PROCEED WITH THE IMPLEMENTATION AND  
CONSTRUCTION OF EBX PHASE II

WHEREAS, the San Gorgonio Pass Water Agency is a State Water Contractor ("SGPWA"); and

WHEREAS, SGPWA is authorized to take delivery of up to 17,300 acre feet of State Project Water pursuant to its State Water Contract; and

WHEREAS, because of physical and contractual constraints, SGPWA is unable to take delivery of more than 8,650 acre feet per year of State Project Water; and

WHEREAS, in order to take delivery of its entire allocation and such other imported water as it may secure, the SGPWA must first construct "EBX Phase II" facilities; and

WHEREAS, the time needed to study, plan, design, engineer and construct the EBX Phase II facilities, including the completion of environmental documentation for the project, is estimated to take three to five years from start to finish;

WHEREAS, construction costs have escalated sharply in the last three years, and it is expected that the cost of construction materials and labor, especially concrete and steel, will continue to escalate substantially in the near-term; and

WHEREAS, until the EBX Phase II facilities are completed, water needed to offset overdraft in the Beaumont Basin and elsewhere within the service area of SGPWA will be unavailable because of delivery constraints; and

WHEREAS, opportunities to purchase additional imported water supplies to enhance the SGPWA's Table "A" allocation under its Contract are being unmet because of the inability of the delivery system to handle such enhanced supplies; and

WHEREAS, the water retailers in the San Gorgonio Pass are ready, willing and able to purchase the water that the EBX Phase II facilities will enable delivery of.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves to urge the Board of Directors of the San Gorgonio Pass Water Agency to take all steps reasonably necessary to implement and construct the EBX Phase II facilities project at the earliest possible time.

The Beaumont Basin Watermaster also resolves to commit whatever resources it has available to assist the SGPWA Board of Directors in this regard.

Dated: March 27, 2006

BEAUMONT BASIN WATERMASTER

By   
GEORGE JORRITSMA, Chairman





**AKLUF & WYSOCKI**  
ATTORNEYS AT LAW

3403 TENTH STREET, SUITE 610  
RIVERSIDE, CALIFORNIA 92501

JOSEPH S. AKLUF  
DAVID L. WYSOCKI

WILLIAM H. BUSTER

TELEPHONE  
(951) 682-5480

FACSIMILE  
(951) 682-2619

E-MAIL  
AandWLaw@aol.com

June 9, 2006

J. Andrew Schlange, Chief of Watermaster Service  
Beaumont Basin Watermaster  
c/o Beaumont-Cherry Valley Water District  
560 Magnolia Avenue  
Beaumont, California 92223

Re: Assignment of Sunny Cal Water Rights:  
Amended Resolution No. 2006-04

Dear Andy:

Enclosed is the original of the above-resolution, correcting an error in a prior resolution.

Please safeguard this original. By copy of this letter I am sending a copy of the Amended Resolution to Attorney Steve Anderson of Best, Best & Krieger, counsel for Sunny Cal.

Best regards,

AKLUF AND WYSOCKI

  
JOSEPH S. AKLUF

JSA:dvh  
Enclosure

cc: Steven M. Anderson, Esq., w/encl.  
Best, Best & Krieger

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BEAUMONT BASIN  
WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esq.  
Aklufi and Wysocki  
3403 10th St., Ste. 610  
Riverside, CA 92501

TH

NO RECORDING FEE REQUIRED  
PER GOV. CODE, SEC. 27383

DOC # 2006-0383274

05/26/2006 08:00A Fee:NC

Page 1 of 4

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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AMENDED RESOLUTION NO. 2006-04  
A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

Title of Document



THIS IS RECORDED TO CORRECT AN ERROR IN  
DOCUMENT NO. 2006-0304648

THIS AREA FOR  
RECORDER'S  
USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

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AMENDED RESOLUTION NO. 2006-04

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Sunny-Cal Egg and Poultry Company ("Sunny Cal") is the owner of 9.35 acres identified in Exhibit D of the Judgment as Assessor Parcel No. 407-180-004;

WHEREAS, Sunny Cal desires to sell APN 407-180-004 to a third party, and, in connection with such sale, to transfer twenty (20) acre feet of Overlying Rights awarded under the Judgment to such third party;

WHEREAS, to facilitate the transfer of APN 407-180-004 to a third party, Sunny-Cal desires that the Watermaster recognize that twenty (20) acre feet of the Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on APN 407-180-004 and henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-180-004 from Sunny Cal to such third party. Sunny-Cal further desires that the remaining 1,464 acre feet of Sunny-Cal water rights awarded under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding the Manheim Manheim and Berman ("MMB") parcel encompassing APN 407-180-004 and also excluding the MMB parcels

encompassing APN Nos. 407-200-009, -011 and -012 and 407-210-001, -002 and 004, as more specifically provided for in Resolution No. 2006-02 of the Beaumont Basin Watermaster, which Resolution was recorded on February 15, 2006 as Document No. 2006-0112028 in the Officials Records of the County of Riverside, California) and henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendant Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of twenty (20) acre feet of Sunny-Cal's Overlying Water Right to APN 407-180-004. Such twenty (20) acre feet of Overlying Rights shall henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-180-004.

2. Adjusted Right. With the recognition of the designation of the twenty (20) acre feet described in paragraph 1, above, to the third party transferee, the Overlying Water Right of Sunny-Cal of twenty (20) acre feet, as set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,464 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,464 acre feet of Overlying Water Rights shall be placed in the name of Sunny-Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including without limitation, to acknowledge the transfer of the twenty (20) acre feet of Overlying Rights allocated to Sunny-Cal to any purchaser of APN 407-180-004.

5. Effective Date. The effective date of this designation is April 17, 2006.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502

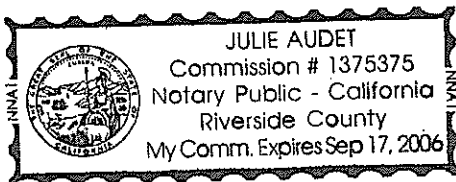
BEAUMONT BASIN WATERMASTER

By *George Jorritsma*  
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA                    )  
  ) SS.  
COUNTY OF Riverside            )

On May 10, 2006, before me, Julie Audet, Notary Public, personally appeared George Jorritsma, personally known to me (~~or 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 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.

WITNESS my hand and official seal.



*Julie Audet*  
Notary Public in and for said County and State

(SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BEAUMONT BASIN  
WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esq.  
Aklufi and Wysocki  
3403 Tenth St., Ste. 610  
Riverside, CA 92501

THIS SPACE

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE, SECTION 27383

RESOLUTION NO. 2006-05

A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

Title of Document

GRANTOR: Sunny-Cal Egg and Poultry Company  
GRANTEE: Beaumont Basin Watermaster, a public agency  
of the State of California

DOC # 2006-0519010

07/17/2006 08:00A Fee:NC

Page 1 of 4

Recorded in Official Records  
County of Riverside

Larry W. Ward  
Assessor, County Clerk & Recorder



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RECORDER'S  
  
USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(\$3.00 Additional Recording Fee Applies)

ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

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RESOLUTION NO. 2006-05

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Sunny-Cal Egg and Poultry Company ("Sunny Cal"), is the owner of 0.93 acres identified in Exhibit D of the Judgment as Assessor Parcel No. 407-190-018;

WHEREAS, Sunny Cal is selling the real property associated with APN 407-190-018 to a third party, Ronald L. McAmis and, in connection with such sale, to transfer five (5) acre feet of Overlying Rights awarded under the Judgment to such third party;

WHEREAS, to facilitate the transfer of APN 407-190-018 to the third party, Sunny-Cal desires that the Watermaster recognize that five (5) acre feet of the Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on APN 407-190-018 and henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-018 from Sunny Cal to such third party. Sunny-Cal further desires that the remaining water rights awarded to Sunny Cal under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding any Manheim Manheim and Berman parcels) and

henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendant Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of five (5) acre feet of Sunny-Cal's Overlying Water Right to APN 407-190-018. Such five (5) acre feet of Overlying Rights shall henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-018.

2. Adjusted Right. With the recognition of the designation of the five (5) acre feet described in paragraph 1, above, to the third party transferee, the Overlying Water Right of Sunny-Cal set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,459 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,459 acre feet of Overlying Water Rights shall be placed in the name of Sunny-Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including without limitation, to acknowledge the transfer of the five (5) acre feet of Overlying Rights allocated to Sunny-Cal to any purchaser of APN 407-190-018.

5. Effective Date. The effective date of this designation is the date of approval of this Resolution.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502



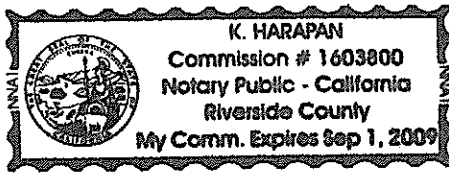
BEAUMONT BASIN WATERMASTER

By *George Jorritsma*  
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA )  
COUNTY OF Riverside ) SS.

On 6-13-06, before me, K. Harapan, Notary Public, personally appeared George Jorritsma, personally known to me (or 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 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.

WITNESS my hand and official seal.



*K. Harapan*  
Notary Public in and for said County and State

(SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BEAUMONT BASIN  
WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esq.  
Aklufi and Wysocki  
3403 Tenth St., Ste. 610  
Riverside, CA 92501

THIS S

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE, SECTION 27383

RESOLUTION NO. 2006-06

A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

Title of Document

GRANTOR: Sunny-Cal Egg and Poultry Company  
GRANTEE: Beaumont Basin Watermaster, a public agency  
of the State of California

THIS AREA FOR

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DOC # 2006-0485820

07/05/2006 08:00A Fee:NC

Page 1 of 4

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County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

---

RESOLUTION NO. 2006-06

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Sunny-Cal Egg and Poultry Company ("Sunny Cal"), is the owner of 1.35 acres identified in Exhibit D of the Judgment as Assessor Parcel No. 407-190-015;

WHEREAS, Sunny Cal is selling the real property associated with APN 407-190-015 to a third party, Nicolas and Amalia Aldama and, in connection with such sale, to transfer seven (7) acre feet of Overlying Rights awarded under the Judgment to such third party;

WHEREAS, to facilitate the transfer of APN 407-190-015 to the third party, Sunny-Cal desires that the Watermaster recognize that seven (7) acre feet of the Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on APN 407-190-015 and henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-015 from Sunny Cal to such third party. Sunny-Cal further desires that the remaining water rights awarded to Sunny Cal under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding any Manheim Manheim and Berman parcels) and

henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendant Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of seven (7) acre feet of Sunny-Cal's Overlying Water Right to APN 407-190-015. Such seven (7) acre feet of Overlying Rights shall henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-015.

2. Adjusted Right. With the recognition of the designation of the seven (7) acre feet described in paragraph 1, above, to the third party transferee, the Overlying Water Right of Sunny-Cal set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,452 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,452 acre feet of Overlying Water Rights shall be placed in the name of Sunny-Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including without limitation, to acknowledge the transfer of the seven (7) acre feet of Overlying Rights allocated to Sunny-Cal to any purchaser of APN 407-190-015.

5. Effective Date. The effective date of this designation is the date of approval of this Resolution.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502

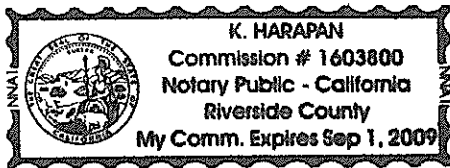
BEAUMONT BASIN WATERMASTER

By *George Jorritsma*  
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF Riverside )

On 6-13-00, before me, K. Harapan, Notary Public, personally appeared George Jorritsma, personally known to me (or 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 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.

WITNESS my hand and official seal.



*K. Harapan*  
Notary Public in and for said County and State

(SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BEAUMONT BASIN  
WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esq.  
Aklufi and Wysocki  
3403 Tenth St., Ste. 610  
Riverside, CA 92501

THIS SI

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE, SECTION 27383

RESOLUTION NO. 2006-07

A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

Title of Document

GRANTOR: Sunny-Cal Egg and Poultry Company  
GRANTEE: Beaumont Basin Watermaster, a public agency  
of the State of California

DOC # 2006-0514747

07/13/2006 08:00A Fee:NC

Page 1 of 4

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County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

---

RESOLUTION NO. 2006-07

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Sunny-Cal Egg and Poultry Company ("Sunny Cal"), is the owner of 2.01 acres identified in Exhibit D of the Judgment as Assessor Parcel No. 407-190-013;

WHEREAS, Sunny Cal is selling the real property associated with APN 407-190-013 to a third party, Hector Gutierrez, Luis Gutierrez and Sebastian Monroy and, in connection with such sale, to transfer ten (10) acre feet of Overlying Rights awarded under the Judgment to such third party;

WHEREAS, to facilitate the transfer of APN 407-190-013 to the third party, Sunny-Cal desires that the Watermaster recognize that ten (10) acre feet of the Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on APN 407-190-013 and henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-013 from Sunny Cal to such third party. Sunny-Cal further desires that the remaining water rights awarded to Sunny Cal under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding any Manheim Manheim and Berman parcels) and

henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendant Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of ten (10) acre feet of Sunny-Cal's Overlying Water Right to APN 407-190-013. Such ten (10) acre feet of Overlying Rights shall henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-013.

2. Adjusted Right. With the recognition of the designation of the ten (10) acre feet described in paragraph 1, above, to the third party transferee, the Overlying Water Right of Sunny-Cal set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,442 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,442 acre feet of Overlying Water Rights shall be placed in the name of Sunny-Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including without limitation, to acknowledge the transfer of the ten (10) acre feet of Overlying Rights allocated to Sunny-Cal to any purchaser of APN 407-190-013.

5. Effective Date. The effective date of this designation is the date of approval of this Resolution.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502



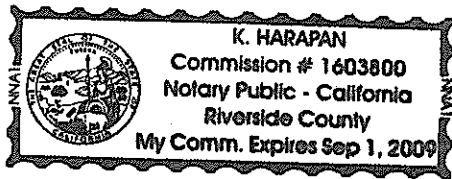
BEAUMONT BASIN WATERMASTER

By *George Jorritsma*  
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF Riverside )

On 6-13-06, before me, K. Harapan, Notary Public, personally appeared George Jorritsma, personally known to me (or 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 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.

WITNESS my hand and official seal.



*K. Harapan*  
Notary Public in and for said County and State

(SEAL)

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

BEAUMONT BASIN  
WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esq.  
Aklufi and Wysocki  
3403 Tenth St., Ste. 610  
Riverside, CA 92501

THIS

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE, SECTION 27383

RESOLUTION NO. 2006-08

A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

Title of Document

GRANTOR: Sunny-Cal Egg and Poultry Company  
GRANTEE: Beaumont Basin Watermaster, a public agency  
of the State of California

**THIS AREA FOR  
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USE ONLY**

DOC # 2006-0524499

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County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



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ORIGINAL

RECORDING REQUESTED BY:

BEAUMONT BASIN WATERMASTER

AND WHEN RECORDED MAIL TO:

Joseph S. Aklufi, Esquire  
Aklufi and Wysocki  
3403 Tenth Street, Suite 610  
Riverside, California 92501

Attorneys for the Beaumont Basin  
Watermaster

NO RECORDING FEE PURSUANT TO  
GOVERNMENT CODE SECTION 27383

---

RESOLUTION NO. 2006-08

A RESOLUTION OF THE  
BEAUMONT BASIN WATERMASTER  
RECOGNIZING THE DESIGNATION OF A SPECIFIC AMOUNT  
OF OVERLYING WATER RIGHTS TO SPECIFIC PARCELS

WHEREAS, the Beaumont Basin was adjudicated by Judgment entitled San Timoteo Watershed Management Authority v. City of Banning, et al. (Riverside County Superior Court Case No. RIC 389197) ("Judgment");

WHEREAS, one of the defendants, Sunny-Cal Egg and Poultry Company ("Sunny Cal"), is the owner of .50 acres identified in Exhibit D of the Judgment as Assessor Parcel No. 407-190-014;

WHEREAS, Sunny Cal is selling the real property associated with APN 407-190-014 to a third party, Boris and Miriam Darmont and, in connection with such sale, to transfer 2.50 acre feet of Overlying Rights awarded under the Judgment to such third party;

WHEREAS, to facilitate the transfer of APN 407-190-014 to the third party, Sunny-Cal desires that the Watermaster recognize that 2.50 acre feet of the Sunny-Cal Overlying Water Rights awarded under the Judgment be designated for use on APN 407-190-014 and henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-014 from Sunny Cal to such third party. Sunny-Cal further desires that the remaining water rights awarded to Sunny Cal under the Judgment be designated for use on the Sunny-Cal parcels listed in Exhibit D of the Judgment (excluding any Manheim Manheim and Berman parcels) and

henceforth be placed in the name of Sunny-Cal alone, or in the name of its transferee upon any sale or transfer of such remaining parcels.

NOW, THEREFORE, the Beaumont Basin Watermaster hereby resolves as follows:

1. Designation of Rights. At the special instance and request of co-defendant Sunny-Cal, the Beaumont Basin Watermaster hereby recognizes the designation of 2.50 acre feet of Sunny-Cal's Overlying Water Right to APN 407-190-014. Such 2.50 acre feet of Overlying Rights shall henceforth be placed in the name of its transferee upon any sale or transfer of APN 407-190-014.

2. Adjusted Right. With the recognition of the designation of the 2.50 acre feet described in paragraph 1, above, to the third party transferee, the Overlying Water Right of Sunny-Cal set forth in Column No. 4 of Exhibit "B" to the Judgment, is hereby reduced to 1,439.5 acre feet, all of which shall be applicable to the remaining properties identified in Exhibit D of the Judgment as owned by Sunny-Cal. Further, henceforth, such 1,439.5 acre feet of Overlying Water Rights shall be placed in the name of Sunny-Cal alone, or its transferee upon any sale or transfer of Sunny-Cal of such parcels.

3. Effect of Judgment on Successors and Assigns. The Judgment provides, in Article VII.4, that the Judgment "shall be binding on and shall inure to the benefit of . . . successors and assigns of the parties."

4. Further Documentation or Action. The Chief of Watermaster Services is hereby authorized and directed to execute such further documents and instruments, and take such further action, as shall be reasonably required to carry out the purposes and intent of this resolution, including without limitation, to acknowledge the transfer of the 2.50 acre feet of Overlying Rights allocated to Sunny-Cal to any purchaser of APN 407-190-014.

5. Effective Date. The effective date of this designation is the date of approval of this Resolution.

6. Recording and Notice. The Chief of Watermaster Services shall record this Resolution and shall mail a true, correct and complete copy as follows:

Sunny-Cal Egg & Poultry Company  
c/o Steven M. Anderson, Esquire  
Best, Best & Krieger  
Post Office Box 1028  
Riverside, California 92502

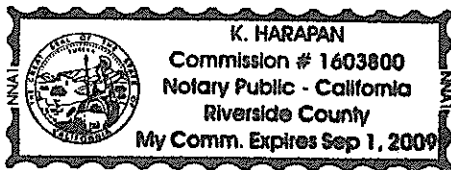
BEAUMONT BASIN WATERMASTER

By *George Jorritsma*  
GEORGE JORRITSMA, Chairman of the  
WATERMASTER

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF Riverside )

On 6-13-06, before me, *K. Harapan*, Notary Public, personally appeared *George Jorritsma*, personally known to me (or 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 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.

WITNESS my hand and official seal.



*K. Harapan*  
Notary Public in and for said County and State

(SEAL)

**APPENDIX F  
REVISED EXHIBITS B & D  
FOR BEAUMONT JUDGMENT**



**Exhibit B**  
**Overlying Producers and Their Rights**

(1) Producer	(2) Average Production during 1997- 2001  (acre-ft/yr)	(3) Exercised Rights <sup>1</sup>  (acre-ft/yr)	(4) Projected Maximum Production  (acre-ft/yr)
Beckman, Walt	0	0	75
Roman Catholic Bishop of San Bernardino	104	114	154
Rancho Calimesa Mobile Home Park	60	150	150
Merlin Properties, LLC.	540	550	550
Sunny-Cal Egg and Poultry Company <sup>2</sup>	1,340	1,340	1,439.5
Sunny-Cal North - Manheim, Manheim & Berman <sup>2</sup>			300
Nick Nikodinov <sup>3</sup>			20
Ronald L. McAmis <sup>4</sup>			5
Nicolas and Amalia Aldama <sup>5</sup>			7
Hector Gutierrez, Luis Gutierrez and Sebastian Monroy <sup>6</sup>			10
Boris and Miriam Darmont <sup>7</sup>			2.5
California Oak Valley Golf and Resort LLC	692	950	950
Leonard Stearn	0	0	200
Oak Valley Partners	510	553	1,806
So. California Professional Golf Association	680	1,688	2,200
Sharondale Mesa Owners Association	184	200	200
Plantation on the Lake	271	300	581
<b>Totals</b>	<b>4,381</b>	<b>5,845</b>	<b>8,650</b>

Note 1 -- Maximum Reported Production during 1997-2001

Note 2 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 300 af of the aggregate right to MMB aka Sunny-Cal North on February 7, 2006.

Note 3 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 20 af of aggregate right to Nick Nikodinov on April 17, 2006.

Note 4 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 5 af of aggregate right to Ronald L. McAmis on June 13, 2006.

Note 5 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 7 af of aggregate right to Nicolas and Amalia Aldama on June 13, 2006.

Note 6 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 10 af of aggregate right to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy on June 13, 2006.

Note 7 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendants *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman(MMB)*. As requested, Watermaster action designated 2.50 af of aggregate right to Boris and Miriam Dermont on June 13, 2006.

**Exhibit D**  
**Overlying Producers and the Parcels Upon Which Their Overlying Rights are Exercised<sup>1</sup>**

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
<b>Beckman, Walt</b>	405250004	19.04
	405250005	19.00
Total Area		<u>38.04</u>
<b>California Oak Valley Golf and Resort</b>	406070041	209.71
Total Area		<u>209.71</u>
<b>Manheim, Manheim &amp; Berman<sup>2</sup></b>	407200009	20.35
	407200011	20.00
	407200012	20.04
	407210001	45.41
	407210002	12.04
	407210004	4.16
Total Area		<u>122.00</u>
<b>Roman Catholic Bishop of San Bernardino</b>	413280016	16.78
	413280030	2.06
	413280036	12.42
Total Area		<u>31.26</u>
<b>Oak Valley Partners</b>	406060010	115.82
	406060015	4.00
	406060017	19.03
	406230020	4.26
	411210003	2.40
	411210005	105.41
	411210010	15.14
	411210016	9.77
	411210017	8.94
	413030011	315.30
	413040001	493.40
	413040002	137.00
	413040003	74.48
	413040004	6.50
	413040005	80.02
	413040006	75.54
	413040007	76.22

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
<b>Oak Valley Partners (cont'd)</b>	413040008	144.48
	413040009	10.00
	413040010	78.22
	413060003	1.70
	413160003	80.00
	413160004	106.92
	413160005	53.08
	413160006	64.47
	413160007	15.53
	413170020	40.26
	413170021	27.62
	413170023	12.38
	413170027	14.19
	413170028	4.11
	413170029	2.35
	413170030	20.28
	413170031	66.63
	413170033	2.79
	413170035	11.74
	413180017	556.91
	413180019	9.77
	413190001	111.31
	413190003	5.64
	413190005	10.35
	413190008	12.40
	413190011	138.92
	413200002	0.23
	413200003	0.15
	413200010	5.94
	413200014	10.61
	413200015	11.36
	413200020	5.00
	413200023	14.47
	413200024	5.00
	413200026	32.86
	413200027	42.90
	413200028	116.62
	413200029	6.39
	413200030	19.01
	413200034	2.18
	413200035	10.99
	413200036	10.42
	413200037	4.95
	413270021	0.31
	413280034	2.37
	413280039	13.61
	413280040	1.91

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
<b>Oak Valley Partners (cont'd)</b>	413280041	2.24
	413280042	6.86
	413290003	510.57
	413290004	16.08
	413290006	8.40
	413290007	103.68
	413450019	74.85
	413450020	169.96
	413450021	146.99
	413450024	48.25
	413450025	50.83
	413450026	122.59
	413450029	108.92
	413460036	199.12
	413460037	23.51
	413460038	19.58
	413460039	45.23
	413460039	45.23
	414090005	1.59
	414090007	1.38
	414090013	31.60
	414090017	20.00
	414090018	4.50
	414100002	42.13
	414100003	65.00
Total Area		<u>5,331.65</u>
<b>Plantation on the Lake</b>	407230031	12.36
	407230010	1.25
	406050018	156.85
	406050002	5.12
	406050003	1.81
Total Area		<u>177.39</u>
<b>Rancho Calimesa Mobile Home Park</b>	413270001	29.66
Total Area		<u>29.66</u>
<b>Merlin Properties, LLC.</b>	407230014	48.52
Total Area		<u>48.52</u>
<b>Sharondale Mesa Owners Association</b>	413330014	1.55
	413330015	2.14
	413331022	0.48
	413331035	0.22
	413340021	0.04
	413340022	0.04
	413340023	1.53
	413340024	2.52
	413341033	0.29

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
<b>Sharondale Mesa Owners Association (cont'd)</b>	413341034	0.81
	413341036	0.35
	413342004	0.35
	413350011	1.04
	413350012	1.44
	413351018	17.08
	413351019	0.16
	413360032	1.92
	413360033	2.30
	413360035	0.90
	413361001	0.14
	413361008	0.12
	413361010	0.18
	413370027	0.39
	413370028	5.34
	413370030	0.69
	413371018	2.07
	413372019	1.39
Total Area		<u>45.48</u>
<b>So. California Professional Golf Association</b>	406060011	146.59
	406060013	2.83
	406060014	4.58
	406060016	10.35
	413450016	99.66
	413450022	95.15
	413450023	2.89
	413450027	91.53
Total Area		<u>453.58</u>
<b>Stearns, Leonard</b>	413221001	0.25
	413221002	0.34
	413260018	49.33
	413260025	0.37
	413270007	10.58
	413280010	1.27
	413280018	9.37
	413280021	4.26
	413280027	3.80
	413280037	14.32
Total Area		<u>93.89</u>
<b>Sunny-Cal Egg and Poultry Company<sup>2</sup></b>	406080013	0.07
	407190016	4.95
	407190017	31.32
	407230022	20.03
	407230023	20.03
	407230024	20.03
	407230025	21.99

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
<b>Sunny-Cal Egg and Poultry Company<sup>2</sup> (cont'd)</b>	407230026	25.94
	407230027	21.63
	407230028	21.56
Total Area		<u>187.55</u>
<b>Nikodinov, Nick<sup>4</sup></b>	407180004	9.35
Total Area		<u>9.35</u>
<b>McAmis, Ronald L.<sup>5</sup></b>	407190018	0.93
Total Area		<u>0.93</u>
<b>Aldama, Nicolas and Amalia<sup>6</sup></b>	407190015	1.35
Total Area		<u>1.35</u>
<b>Hector Gutierrez, Luis Gutierrez and Sebastian Monroy<sup>7</sup></b>	407190013	2.01
Total Area		<u>2.01</u>
<b>Darmont, Boris and Miriam<sup>8</sup></b>	407190014	0.50
Total Area		<u>0.50</u>
<b>Total Area for All Overlying Producers<sup>3</sup></b>		<b><u>6,782.87</u></b>

Note 1 -- Parcels as of June 1, 2003; updated to include Nick Nikodinov per April 17, 2006 Watermaster action; updated to include Ronald L. McAmis, Nicolas and Amalia Aldama, Hector Gutierrez, Luis Guterrez, and Sebastian Monroy, and Boris and Miriam Darmont per June 13, 2006 Watermaster actions.

Note 2 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to MMB on February 7, 2006.

Note 3 -- The Watermaster shall recognize adjustments in parcel boundaries that result in de minimus changes in water use

Note 4 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Nick Nikodinov on April 17, 2006.

Note 5 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Ronald L. McAmis on June 13, 2006.

Note 6 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Nicolas and Amalia Aldama on June 13, 2006.

Note 7 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy on June 13, 2006.

Note 8 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Boris and Miriam Darmont on June 13, 2006.

**APPENDIX G**  
**AMENDED SECTION 7 AND FORMS**

**BEAUMONT BASIN WATERMASTER  
Rules and Regulations**

**SECTION 7  
ADJUSTMENTS OF RIGHTS**

- 7.0 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).
- 7.1 Notice of Adjustment of Rights.** The Overlying Pumper and Appropriator shall complete a Notice of Adjustment of Rights (Form 5) and file it with the Watermaster within 30 days of entering into a Service Agreement.
- 7.2 Accounting for Adjustment of Rights.** Watermaster staff will maintain an accounting of all adjustments of rights based on actual meter readings or other measuring devices. The accounting will be presented in the Annual Report and other relevant Watermaster reports as appropriate.
- 7.3 Transfer of Water.** 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.
- 7.4 Watermaster Supervision and Approval.** Any proposed transfer shall first be approved by the Watermaster and implemented under Watermaster supervision.
- 7.5 Marketing Procedures.** An Appropriator wishing to transfer all or any portion of its Appropriator’s Production Right may do so in any one of the following three ways:
- (a) The Appropriator may undertake its own marketing efforts and negotiate an agreement with one or more Appropriators; or



**BEAUMONT BASIN WATERMASTER  
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- (b) The Appropriator may request assistance from the Watermaster to conduct a sealed bidding process among the Appropriators and award a contract to the highest bidder; or
- (c) The Appropriator may request the Watermaster to allocate the total amount of water to be transferred to the accounts of the other Appropriators in proportion to their respective shares of the Operating Safe Yield and assess each of the Appropriators for the water at a cost not to exceed a Watermaster-approved Groundwater Replenishment Rate.

**7.6 Disposition of Revenue.** Any revenue generated from the transfer of surplus water shall be used first to reduce or pay off delinquent Annual Administrative Assessments and Annual Replenishment Assessments, if any, and the balance shall be paid over to the transferring party. At the transferring party's option, the balance may be credited to future Assessments.

**7.7 Accounting for Transfers.** 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.

**BEAUMONT BASIN WATERMASTER**

**GROUNDWATER STORAGE AGREEMENT #\_\_\_\_\_**

THIS **GROUNDWATER STORAGE AGREEMENT** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2006, by and between the **Beaumont Basin Watermaster** ("Watermaster"), and the \_\_\_\_\_ (herein "Storage Party"), pursuant to the Judgment (Case No. RIC 389197).

**SCOPE OF PERMISSION TO STORE.** Permission is hereby given to the Storage Party, pursuant to the terms and conditions hereof, to store up to \_\_\_\_\_ acre-feet of water in the Beaumont Basin and to recapture the same for reasonable beneficial use as set forth in the forms or attachments below based on the Appropriator's share of Safe Yield as listed in Exhibit C, column 3. The permission to store water under this Storage Agreement is not transferable or assignable.

**RELEVANT APPLICATIONS.** The following Applications are relevant to this Agreement:

- [ ] Application for Storage Agreement, dated \_\_\_\_\_.
- [ ] Application for Recharge, dated \_\_\_\_\_.
- [ ] Application (or Amendment to Application) to Recapture Water in Storage, dated \_\_\_\_\_.

**TERM OF AGREEMENT.** This Agreement may be terminated by the Watermaster upon 90 days written notice. Except for losses or other factors as Watermaster may establish, any water in storage at the time of termination of this Agreement shall be credited to the Storage Party for recapture. Termination shall affect termination of the right to place water in storage, but shall not impact the integrity of water stored or the right to recapture the same.

**APPLICABILITY.** This Agreement and all provisions thereof are applicable to and binding upon the parties hereto, and upon their respective heirs, executors, administrators, successors, assigns, lessors and licensees and upon the agents, employees and attorneys in fact of all such persons. Storage capacity is not assignable. Water in storage may be assigned, sold, leased or transferred as herein or subsequently approved.

**RECAPTURE.** Storage Party may recapture Stored Water by the direct extraction of groundwater from Beaumont Basin pursuant to an annual notice to Watermaster to Recapture Water in Storage. The Watermaster reserves the right to solely determine whether significant adverse impacts will result to the Beaumont Basin and to other Producers by reason of such recapture and may either approve, deny, or modify any proposed recapture schedule.

**ACCOUNTING FOR WATER STORED.** Watermaster shall maintain a continuing account of water stored in and recaptured from Storage Party's account, which shall be available for review upon reasonable notice by Storage Party.

**REPORTS TO WATERMASTER.** Storage Party shall file with the Watermaster such reports, forms, or additional information as may be reasonably required by the Watermaster in order to maintain accurate information as to storage, losses and recapture of Stored Water.

**THE WATERMASTER'S RIGHT TO INSPECT.** The Watermaster shall have the right to inspect, at reasonable times, the records and facilities of Storage Party with respect to the storage and recapture of water in the Beaumont Basin.

**NOTICE.** Any notices may be given by mail postage prepaid, addressed as follows:

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

Storage Party	_____
	_____
	_____
	_____

**SPECIAL CONDITIONS:** The permission granted herein is subject to the following additional conditions:

_____
_____
_____
_____
_____

**IN WITNESS WHEREOF,** the parties hereto have caused this Agreement to be duly executed by their respective authorized officers.

**BEAUMONT BASIN WATERMASTER**

**STORAGE PARTY**

\_\_\_\_\_

\_\_\_\_\_  
Name

By \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

**BEAUMONT BASIN WATERMASTER**  
**NOTICE OF TRANSFER OF APPROPRIATOR PRODUCTION RIGHT**  
**OR**  
**OPERATING YIELD BETWEEN APPROPRIATORS**  
**Fiscal Year 2\_\_\_ -\_\_**

Notice is hereby given that commencing on July 1, \_\_\_\_\_ and terminating on June 30, \_\_\_\_\_,  
\_\_\_\_\_ (“Transferor”) hereby transfers to \_\_\_\_\_ (“Transferee”) the  
quantity of \_\_\_\_\_ acre-feet of corresponding Appropriator Production Right or Operating Yield  
adjudicated to Transferor or its predecessor in interest in the Judgment rendered in the Case of SAN  
TIMOTEO WATERSHED MANAGEMENT AUTHORITY vs. CITY OF BANNING, et al., RIC  
389197, entered February 4, 2004.

\_\_\_\_\_  
Transferor

\_\_\_\_\_  
Transferee

\_\_\_\_\_  
By

\_\_\_\_\_  
By

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_, California.

**BEAUMONT BASIN WATERMASTER**  
**NOTICE OF TRANSFER OF RIGHT TO**  
**RECAPTURE WATER IN STORAGE BETWEEN APPROPRIATORS**  
**Fiscal Year 2\_\_ -\_\_**

Notice is hereby given that commencing on July 1, \_\_\_\_\_ and terminating on June 30, \_\_\_\_\_,  
\_\_\_\_\_ (“Transferor”) hereby transfers to \_\_\_\_\_ (“Transferee”) the right  
to recapture the quantity of \_\_\_\_\_ acre-feet of water stored by Transferor pursuant to the Judgment  
rendered in the Case of SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY vs. CITY OF  
BANNING, et al., RIC 389197 entered February 4, 2004.

\_\_\_\_\_  
Transferor

\_\_\_\_\_  
Transferee

\_\_\_\_\_  
By

\_\_\_\_\_  
By

Executed this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_, California.