Notice and Agenda Special Meeting of the Beaumont Basin Watermaster

Thursday, July 13, 2023 at 2:00 p.m.

Meeting Location: Beaumont-Cherry Valley Water District 560 Magnolia Avenue • Beaumont, California 92223

This meeting is hereby noticed pursuant to California Government Code Section 54950 et. seq.

Members of the Watermaster Committee:

Yucaipa Valley Water District

City of Banning Beaumont-Cherry Valley Water District
City of Beaumont South Mesa Water Company

the options listed.

Remote attendance options are provided primarily as a matter of convenience to the public. Unless a Watermaster Committee member is attending remotely pursuant to provisions of GC 54953 et. seq., the public, in-person meeting will not stop or be otherwise suspended should a technological interruption occur with respect to the Zoom teleconference or call-in line listed on the agenda. Members of the public are encouraged to attend BBWM meetings in person at the above address, or remotely using

Online Meeting Participation Link:

https://us02web.zoom.us/j/81638720446?pwd=UnNZcC9TbGZzTGFuMHdhVkRMblczQT09

Telephone: (669) 900-9128 / Meeting ID: 816-3872-0446 / Passcode: 636756 One-Tap Mobile: +16699009128,,81638720446#,,,,*636756#

For Public Comment, use the "Raise Hand" feature if on the video call when prompted, if dialing in, please dial *9 to "Raise Hand" when prompted

Meeting materials are available on the Watermaster website: https://beaumontbasinwatermaster.org/

BEAUMONT BASIN WATERMASTER COMMITTEE SPECIAL MEETING - WORKSHOP - JULY 13, 2023

I. Call to Order

II. Roll Call

Committee Member Agency	Primary Representative	Alternate	
City of Banning	Arturo Vela, Chair	Nathan Smith	
City of Beaumont	Jeff Hart	Robert Vestal	
Beaumont-Cherry Valley Water District	Daniel Jaggers	Mark Swanson	
South Mesa Water Company	Dave Armstrong	Brittany Lim	
Yucaipa Valley Water District	Joseph Zoba	Jennifer Ares	

III. Pledge of Allegiance

IV. Public Comments At this time, members of the public may address the Beaumont Basin Watermaster on matters within its jurisdiction; however, no action or discussion may take place on any item not on the agenda. To provide comments on specific agenda items, please complete a Request to Speak form and provide that form to the Secretary prior to the commencement of the meeting, or, RAISE HAND electronically or Press *9 when prompted for public comment.

ACTION ITEMS. Action may be taken on any item on the agenda.

V. Workshop / Discussion Items

BBWM Mission Statement adopted October 2004:

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.

- A. Development of the Committee's vision for the Basin
- B. Production from Storage Accounts that prevents impact
- C. Possible delineation of management zones in the Basin
- D. Preliminary identification and prioritization of other issues to address
- E. Identify next steps

Attachments:

	Pa	ige#			Page #
1.	Stipulated judgment	4	6.	Storage Accounting Issues	76
2.	2022 Annual Report – Section 1	43	7.	Minutes: December 1, 2021	125
3.	BBWM Duties and Responsibilities	48	8.	Storage Accounting presentation	128
4.	Beaumont Basin Storage Loss (2018 Report)	49	9.	Minutes: January 5, 2022	144
5.	Minutes: October 6, 2021	69	10.	Minutes: March 10, 2022	146

VI. Topics for Future Meetings

- A. Monitoring of future west side well sites and methodologies, and potential collaboration with USGS
- B. Procurement Policy including thresholds for RFP process
- C. Evaluation of Storage Issues in the Basin (tabled from 12/2/2021 meeting)
- D. Development of a methodology and policy to account for groundwater storage losses in the basin / groundwater management
- E. Incidental discharge
- F. Development of a Recycled Water Policy
- G. Development of a return flow accounting policy
- H. Update on SGPWA water supply portfolio

VII. Comments from the Watermaster Committee Members

VIII. Announcements

- A. Set date for next Special Meeting / Workshop
- B. The next regular meeting of the Beaumont Basin Watermaster is scheduled for Wednesday, August 2, 2023, at 11:00 a.m.
- C. Future Meeting Dates:
 - October 4, 2023 at 11:00 a.m.
 - December 6, 2023 at 11:00 a.m.
 - February 7, 2024 at 11:00 a.m.

IX. Adjournment

NOTICES

AVAILABILITY OF AGENDA MATERIALS - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont Basin Watermaster Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the Office of the Watermaster Secretary, at 560 Magnolia Avenue, Beaumont, California ("Office") during business hours, Monday through Thursday from 7:30 a.m. to 5 p.m. If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available from the Office at the same time or within 24 hours' time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available in the Board Room at the District Office. Materials may also be available on the Watermaster website: https://beaumontbasinwatermaster.org/.

REVISIONS TO THE AGENDA - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the Office, located at 560 Magnolia Avenue, Beaumont, California, or download from the website up to 72 hours prior to the Meeting.

REQUIREMENTS RE: DISABLED ACCESS - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The Office may be contacted by telephone at (951) 845-9581, email at info@bcvwd.org or in writing to the Beaumont Basin Watermaster Committee, c/o Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

CERTIFICATION OF POSTING: A copy of the foregoing notice was posted near the regular meeting place of the Beaumont Basin Watermaster Committee and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

CASE TITLE: San Timoteo Watershed Management Authority v. City of Banning

Department 5

FILED

JPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

CASE NO.:

RIC389197

MAR 1 4 2019

DATE:

March 14, 2019

S. Salazar

PROCEEDING: Order to Beaumont Basin Watermaster to Serve Order to Show Cause

On February 25, 2019, the Court instructed counsel for the Beaumont Basin Watermaster to either bring a noticed motion to amend the judgment to cure the clerical errors, or else "to simply draft an Order to Show Cause that [the Court] will sign, directed to all the parties, as to why the judgment should not be corrected to change the errors . . ." Counsel promised to "submit an OSC" When the Court asked how long it would be before the Court would have the proposed OSC in its hand, counsel promised to do so "before the end of [that] week." The end of that week would have been March 1, 2019.

Coursel did not do so. No proposed Order to Show Cause was ever submitted to this Court for its signature. Instead, on March 13, 2019, counsel delivered a document entitled "Notice of Order to Show Cause regarding Why the Attached Amendment of Judgment Should Not Be Granted," representing that the return date on the purported OSC was March 11, 2019. In fact, the Court had not issued an order to show cause, had not set any return date, and had not either scheduled or conducted a hearing on that or any other date.

Counsel for the Beaumont Basin Watermaster is instructed as follows:

- 1. Counsel shall revise the proposed amended judgment by adding an introductory provision on page 2, line 7, as follows: "To correct a clerical error at what is now page 6, line 5, and to correct the inadvertent omission of Exhibit E, the Court enters this Amended Judgment nunc pro tunc to February 4, 2004."
- 2. Counsel shall serve the attached Order to Show Cause, together with a complete copy of the proposed amended judgment as revised, on all parties no later than March 22, 2019.
 - 3. Counsel shall file proof of service no later than March 29, 2019.

Craig G. Riemer, Judge of the Superior Court

KEITH E. MCCULLOUGH (CA Bar No. 142519 kmccullough@alvaradosmith.com THIERRY R. MONTOYA (CA Bar No. 158400) 2 tmontoya@AlvaradoSmith.com **ALVARADOSMITH** 3 A Professional Corporation 1 MacArthur Place, Suite 200 Santa Ana, California 92707 Tel: (714) 852-6800 5 Fax: (714) 852-6899 EXEMPT FROM FILING FEES 6 **GOVERNMENT CODE § 6103** Attorneys for Defendant 7 Beaumont Basin Watermaster 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 FOR THE COUNTY OF RIVERSIDE 10 CENTRAL DISTRICT 11 SAN TIMOTEO WATERSHED MANAGEMENT **CASE NO.: RIC 389197** 12 AUTHORITY, a public agency Craig G. Riemer JUDGE: DEPT: 13 Plaintiff, 14 AMENDED JUDGMENT PURSUANT TO STIPULATION ADJUDICATING CITY OF BANNING, a municipal corporation; GROUNDWATER RIGHTS IN THE **BEAUMONT-CHERRY VALLEY WATER BEAUMONT BASIN** DISTRICT, an irrigation district; YUCAIPA 16 VALLEY WATER DISTRICT, a county water 17 district; PLANTATION ON THE LAKE LLC, a California limited liability company; SHARONDALE MESA OWNERS ASSOCIATION; an unincorporated association; SOUTH MESA 19 MUTUAL WATER COMPANY, a mutual water company, CALIFORNIA OAK VALLEY GOLF AND RESORT LLC, a California limited liability 20 company; OAK VALLEY PARTNERS LP, a Texas 21 limited partnership; SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA, a California 22 corporation; SUNNY-CAL EGG AND POULTRY COMPANY, a California corporation; MANHEIM, 23 MANHEIM & BERMAN, a California General Partnership; WALTER M. BECKMAN, individually 24 and as Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990; THE ROMAN 25 CATHOLIC BISHOP OF SAN BERNARDINO, a .26 California 27 28

Corporation; MERLIN PROPERTIES, LLC; LEONARD M. STEARNS AND DOROTHY D. STEARNS, individually and as Trustees of the LEONARD M. STEARNS FAMILY TRUST OF 1991; and DOES 1 through 500, inclusive,

Defendants.

I. <u>INTRODUCTION</u>

To correct a clerical error at what is now page 6, line 5, and to correct the inadvertent omission of Exhibit E, the Court enters this Amended Judgment nunc pro tunc to February 4, 2004.

Pleadings, Parties and Jurisdiction

The complaint herein was filed on February 20, 2003, seeking an adjudication of water rights, injunctive relief and the imposition of a physical solution. The defaults of certain defendants have been entered, and certain other defendants dismissed. Other than defendants who have been dismissed or whose defaults have been entered, all defendants have appeared herein. This Court has jurisdiction of the subject matter of this action and of the parties herein.

Stipulation for Judgment

Stipulation for Entry of Judgment has been filed by and on behalf of all defendants who have appeared herein.

Definitions

As used in this Judgment, these terms shall have the following meanings:

- A. Appropriator or Appropriator Parties: the pumpers identified in Exhibit "C" attached hereto.
- B. Appropriator's Production Right: consists of an Appropriator's share of Operating Yield, plus (1) any water acquired by an Appropriator from an Overlying Producer or other Appropriator pursuant to this Judgment, (2) any water withdrawn from the Appropriator's storage account, (3) and New Yield created by the Appropriator.
- C. Appropriative Water: the amount of Safe Yield remaining after satisfaction of Overlying Water Rights.

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AMENDED JUDGMENT PURSUANT TO

- D. Appropriative Water Right: each Appropriator's share of Appropriative Water, such share expressed as a percentage as shown on Exhibit "C"
- E. Beaumont Basin or Beaumont Storage Unit: the area situated within the boundaries shown on Exhibit "A" attached hereto.
 - F. Conjunctive Use: the storage of water in a Groundwater Basin for use at a later time.
- G. Groundwater: water beneath the surface of the ground within the zone below the water table in which soil is saturated with water.
- H. Groundwater Basin: an area underlain by one or more permeable formations capable of furnishing a substantial water supply.
- I. Groundwater Storage Agreement: a standard form of written agreement between the Watermaster and any Person requesting the storage of Supplemental Water.
- J. Groundwater Storage Capacity: the space available in a Groundwater Basin that is not utilized for storage or regulation of Safe Yield and is reasonably available for Stored Water and Conjunctive Use.
- K. Minimal Producer: any Producer who pumps 10 or fewer acre feet of Groundwater from the Beaumont Basin per year.
- L. New Yield: increases in yield in quantities greater than historical amounts from sources of supply including, but not limited to, capture of available storm flow, by means of projects constructed after February 20, 2003, as determined by the Watermaster.
- M. Operating Yield: the maximum quantity of water which can be produced annually by the Appropriators from the Beaumont Basin, which quantity consists of Appropriative Water plus Temporary Surplus.
- N. Overdraft: a condition wherein the total annual production from a Groundwater Basin exceeds the Safe Yield thereof.
- Overlying Parties: the Persons listed on Exhibit "B", who are owners of land which O. overlies the Beaumont Basin and have exercised Overlying Water Rights to pump therefrom. Overlying Parties include successors in interest and assignees.

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- P. Overlying Water Rights: the quantities decreed to Overlying Parties in Column 4 of Exhibit "B" to this Judgment.
- Q. Overproduction: by an Appropriator, measured by an amount equal to the Appropriator's actual annual production minus the Appropriator's Production Right. By a new overlying producer, an amount equal to what the overlying producer pumped during the year.
- R. Party (Parties): any Person(s) named in this action, or who has intervened, or has become subject to this Judgment either through stipulation, trial or otherwise.
- S. Person: any individual, partnership, association, corporation, governmental entity or agency, or other organization.
- T. Physical Solution: the physical solution set forth in Part V of this Judgment.

 Produce, Producing, Production, Pump or Pumping: the extraction of groundwater.
 - U. Producer or Pumper: any Person who extracts groundwater.
- V. Recycled Water: has the meaning provided in Water Code Section 13050(n) and includes other nonpotable water for purposes of this Judgment.
- W. Safe Yield: the maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage. The Safe Yield of the Beaumont Basin is 8650 acre feet per year in each of the ten (10) years following entry of this Judgment.
- X. San Timoteo Watershed Management Authority: a joint powers public agency whose members are the Beaumont-Cherry Valley Water District, the City of Beaumont, the South Mesa Mutual Water Company and the Yucaipa Valley Water District.
- Y. Stored Water: Supplemental Water stored in the Beaumont Basin pursuant to Groundwater Storage Agreement with the Watermaster.
- Z. Supplemental Water: water imported into the Beaumont Basin from outside the Beaumont Basin including, without limitation, water diverted from creeks upstream and tributary to Beaumont Basin and water which is recycled and useable within the Beaumont Basin.

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- AA. Temporary Surplus: 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.
- BB. Watermaster: the Person appointed by the Court to administer and enforce the Physical Solution.

List of Exhibits

The following exhibits are attached to this Judgment and made a part hereof:

Exhibit "A" -- "Location Map of Beaumont Basin"

Exhibit "B" - - "Overlying Owners and Their Water Rights"

Exhibit "C" - - "Appropriators and Their Water Rights"

Exhibit "D" - - "Legal Description of Lands of the Overlying Parties"

Exhibit "E"" - - "Location of Overlying Producer Parcels" and Boundary of the Beaumont Basin"

II. INJUNCTIONS

1. Injunction Against Unauthorized Production of Beaumont Basin Water

Each party herein is enjoined, as follows:

- A. Overlying Parties: Each defendant who is an Overlying Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any five-year period hereafter in excess of five times the share of the Safe Yield assigned to the Overlying Parties as set forth in Column 4 of Exhibit "B", as more fully described in the Physical Solution.
- B. <u>Appropriator Parties</u>: Each defendant who is an Appropriator Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any year hereafter in excess of such party's Appropriator's Production Right, except as additional annual Production may be authorized by the provisions of the Physical Solution.
- Injunction Against Unauthorized Storage or Withdrawal of Stored Water.

Each and every Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from storing Supplemental Water in the Beaumont Basin for withdrawal, or causing withdrawal of water stored by that Party, except pursuant to the terms of a written Groundwater

Storage Agreement with the Watermaster and in accordance with Watermaster Rules and Regulations.

Any Supplemental Water stored in the Beaumont Basin, except pursuant to a Groundwater Storage

Agreement, shall be deemed abandoned and not classified as Stored Water.

III. DECLARATION AND ADJUSTMENT OF RIGHTS

Overlying Rights

2.7

The Overlying Parties are currently exercising overlying Water Rights in the Beaumont Basin. As shown on Exhibit "B", the aggregate Projected Maximum Production of water from the Beaumont Basin pursuant to Overlying Water Rights is 8650 acre feet and the Overlying Water Rights are individually decreed, in Column 4 of Exhibit "B", for each Overlying Party. The Overlying Parties shall continue to have the right to exercise their respective Overlying Water Right as set forth in Column 4 of Exhibit "B" except to the extent their respective properties receive water service from an Appropriator Party, as contemplated by Paragraph III.3 of this Judgment.

Appropriator's Share of Operating Yield

Each Appropriator Party's share of Operating Yield is shown on Exhibit "C". Notwithstanding any other provision of this Judgment, each Appropriator Party may use its Appropriator's Production Right anywhere within its service area.

Adjustment of Rights

A. The Overlying Parties shall have the right to exercise their respective Overlying Water Rights except as provided in this Paragraph 3.

B. To the extent any Overlying Party requests, and uses its Exhibit "B", Column 4 water 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 Right as reflected in Column 4 of Exhibit "B" attached hereto, for the purpose of serving the Overlying Party. The intent of this provision is to ensure that the Overlying Party is given credit towards satisfying the water availability assessment provisions of Government Code, Section 66473.7 et seq. and Water Code, Section 10910 et seq. or other similar provisions of law, equal to the amount of groundwater earmarked hereunder.

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When an overlying Party receives water service as provided for in subparagraph III.3.B 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.

- D. Should the volume of the Overlying Water Right equal or exceed the volume of potable groundwater earmarked as provided in subparagraph 3.B, the Appropriator Party which will serve the Overlying Party shall (i) impose potable water charges and assessments upon the Overlying Party and its successors in interest at the rates charged to the thenexisting regular customers of the Appropriator Party, and (ii) not collect from such Overlying Party any development charge that may be related to the importation of water into the Beaumont Basin. The Appropriator Party which will serve the Overlying Party pursuant to Subparagraph 111.3.5 shall also consider, and negotiate in good faith regarding, the provision of a meaningful credit for any pipelines, pump stations, wells or other facilities that may exist on the property to be served.
- E. In the event an Overlying Party receives Recycled Water from an Appropriator Party to serve an overlying use served with groundwater, the Overlying Water Right of the Overlying Party shall not be diminished by the receipt and use of such Recycled Water. Recycled Water provided by an Appropriator Party to an Overlying Party shall satisfy the criteria set forth in the California Water Code including, without limitation, the criteria set forth in Water Code Sections 13550 and 13551. The Appropriator Party which will serve the Recycled Water shall have the right to use that portion of the Overlying Water Right of the Overlying Party offset by the provision of Recycled Water service pursuant to the terms of this subparagraph; provided, however, that such right of use by the Appropriator Party shall no longer be valid if the Recycled Water, provided by the Appropriator Party to the Overlying Party, does not satisfy the requirements of Sections 13550 and 13551 and the Overlying Party ceases taking delivery of such Recycled Water.

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F. Nothing in this Judgment is intended to impair or adversely affect the ability of an Overlying Party to enter into annexation or development agreements with any Appropriator Party.

Oak Valley Partners LP ("Oak Valley") is developing its property pursuant to Specific Plans 216 and 216A adopted by the County of Riverside ("County") in May 1990, and Specific Plan 318 adopted by the County in August, 2001, (Specific Plans 216, 216A and 318 are collectively referred to as the "Specific Plans"). The future water supply needs at build-out of the Specific Plans will greatly exceed Oak Valley's Projected Maximum Production, as reflected in Exhibit "B" to the Judgment, and may be as much as 12,811 acre feet per year. Oak Valley has annexed the portion of its property now within the City of Beaumont into the Beaumont-Cherry Valley Water District ("BCVWD"), and is in the process of annexing the remainder portion of its property into the Yucaipa Valley Water District ("YVWD"), in order to obtain retail water service for the development of the Oak Valley Property pursuant to the Specific Plans (for purposes of this subparagraph BCVWD and YVWD are collectively referred to as the "Water Districts", and individually as a "Water District"). YVWD covenants to use its best efforts to finalize the annexation of the Oak Valley property within the Calimesa City limits. Oak Valley, for itself and its successors and assigns, hereby agrees, by this stipulation and upon final annexation of its property by YVWD, to forbear from claiming any future, unexercised, overlying rights in excess of the Projected Maximum Production of Exhibit "B" of 1806 acre feet per year. As consideration for the forbearance, the Water Districts agree to amend their respective Urban Water Management Plans ("UWMP") in 2005 as follows: BCVWD agrees that 2,400 acre feet per year of projected water demand shall be included for the portion of. Oak Valley to be served by BCVWD in its UWMP, and YVWD agrees to include 8,000 acre feet per year of projected water demand as a projected demand for the portion of Oak Valley to be served by YVWD in its UWMP by 2025. The Water Districts agree to use their best judgment to accurately revise this estimate to reflect the projected water demands for the UWMP prepared in 2010. Furthermore, the Water Districts further agree that, in providing water

availability assessments prior to 2010, as required by Water Code §10910 and water supply verifications as required by Government Code §§66455.3 and 66473.7, or any similar statute, and in maintaining their respective UWMP, each shall consider the foregoing respective projected water demand figures for Oak Valley as proposed water demands. The intent of the foregoing requirements is to ensure that Oak Valley is credited for the forbearance of its overlying water rights and is fully accounted for in each Water District's UWMP and overall water planning. The Water Districts' actions in performance of the foregoing planning obligations shall not create any right or entitlement to, or priority or allocation in, any particular water supply source, capacity or facility, or any right to receive water service other than by satisfying the applicable Water District's reasonable requirements relating to application for service. Nothing in this subparagraph G is intended to affect or impair the provision of earmarked water to Overlying Parties who request and obtain water service from Appropriator Parties, as set forth in subparagraph III.3.B, above.

H. Persons who would otherwise qualify as Overlying Producers based on, an interest in land lying within the City of Banning's service area shall not have the rights described in this Paragraph 111.3.

Exemption for Minimal Producers

Unless otherwise ordered by the Court, Minimal Producers are exempt from the provisions of this Judgment.

IV. CONTINUING JURISDICTION

Full jurisdiction, power and authority is retained and reserved to the Court for purposes of enabling the Court, upon application of any Party, by a motion noticed for at least a 30-day period (or consistent with the review procedures of Paragraph VII.6 herein, if applicable), to make such further or supplemental order or directions as may be necessary or appropriate for interim operation of the Beaumont Basin before the Physical Solution is fully operative, or for interpretation, or enforcement or carrying out of this Judgment, and to modify, amend or amplify any of the provisions of this Judgment or to add to the provisions hereof consistent with the rights herein decreed; except that the Court's

jurisdiction does not extend to the redetermination of (a) Safe Yield during the first ten years of operation of the Physical Solution, and (b) the fraction of the share of Appropriative Water of each Appropriator.

V. THE PHYSICAL SOLUTION

Purpose and Objective

In accordance with the mandate of Section 2 of Article X of the California Constitution, the Court hereby adopts, and orders the parties to comply with, a Physical Solution. The purpose of the Physical Solution is to establish a legal and practical means for making the maximum reasonable beneficial use of the waters of 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. Such Physical Solution requires the definition of the individual rights of all Parties within the Beaumont Basin in a manner which will fairly allocate the native water supplies and which will provide for equitable sharing of costs of Supplemental water.

Need for Flexibility

The Physical Solution must provide maximum flexibility and adaptability in order that the Watermaster and the Court may be free to use existing and future technological, social, institutional and economic options. To that end, the Court's retained jurisdiction shall be utilized, where appropriate, to supplement the discretion granted herein to the Watermaster.

Production and Storage in Accordance With Judgment

This Judgment, and the Physical Solution decreed herein, address all Production and Storage within the Beaumont Basin. Because the Beaumont Basin is at or near a condition of Overdraft, any Production outside the framework of this Judgment and Physical Solution will potentially damage the Beaumont Basin, injure the rights of all Parties, result in the waste of water and interfere with the Physical Solution. The Watermaster shall bring an action or a motion to enjoin any Production that is not in accordance with the terms of this Judgment.

General Pattern of Operation

One fundamental premise of the adjudication is that all Producers shall be allowed to pump sufficient water from the Beaumont Basin to meet their respective requirements. Another fundamental premise of the adjudication is that Overlying Parties who pump no more than the amount of their

Overlying Water Right as shown on Column 4 of Exhibit "B" hereto, shall not be charged for the replenishment of the Beaumont Basin. To the extent that pumping exceeds five (5) times the share of the Safe Yield assigned to an Overlying Party (Column 4 of Exhibit "B") in any five (5) consecutive years, or the share of Operating Yield Right of each Appropriator Party, each such Party shall provide funds to enable the Watermaster to replace such Overproduction.

Use of Available Groundwater Storage Capacity

A. There exists in the Beaumont Basin a substantial amount of available
Groundwater Storage Capacity. Such Capacity can be reasonably used for Stored Water and
Conjunctive Use and may be used subject to Watermaster regulation to prevent injury to existing
Overlying and Appropriative water rights, to prevent the waste of water, and to protect the right
to the use of Supplemental Water in storage and Safe Yield of the Beaumont Basin.

B. There shall be reserved for Conjunctive Use a minimum of 200,000 acre feet of Groundwater Storage Capacity in the Beaumont Basin provided that such amount may be reduced as necessary to prevent injury to existing water rights or existing uses of water within the Basin, and to prevent the waste of water. Any Person may make reasonable beneficial use of the Groundwater Storage Capacity for storage of Supplemental Water; provided, however, that no such use shall be made except pursuant to a written Groundwater Storage Agreement with the Watermaster. The allocation and use of Groundwater Storage Capacity shall have priority and preference for Producers within the Beaumont Basin over storage for export. The Watermaster may, from time-to-time, redetermine the available Groundwater Storage Capacity.

VI. ADMINISTRATION

1. Administration and Enforcement by Watermaster

The Watermaster shall administer and enforce the provisions of this Judgment and any subsequent order or instructions of the Court.

2. Watermaster Control

The Watermaster is hereby granted discretionary powers to develop and implement a groundwater management plan and program for the Beaumont Basin, which plan shall be filed with and shall be subject to review and approval by, the Court, and which may include water quantity and quality

considerations and shall reflect the provisions of this Judgment. Except for the exercise by Overlying Parties of their respective Rights described in Column 4 of Exhibit "B" hereto in accordance with the provisions of the Physical Solution, groundwater extractions and the replenishment thereof, and the storage of Supplemental Water, shall be subject to procedures established and administered by the Watermaster. Such procedures shall be subject to review by the Court upon motion by any Party.

Watermaster Standard of Performance

The Watermaster shall, in carrying out its duties and responsibilities herein, act in an impartial manner without favor or prejudice to any Party or purpose of use.

Watermaster Appointment

The Watermaster shall consist of a committee composed of persons nominated by the City of Banning, the City of Beaumont, the Beaumont-Cherry Valley Water District, the South Mesa Mutual Water Company and the Yucaipa Valley Water District, each of which shall have the right to nominate one representative to the Watermaster committee who shall be an employee of or consultant to the nominating agency. Each such nomination shall be made in writing, served upon the other parties to this Judgment and filed with the Court, which shall approve or reject such nomination. Each Watermaster representative shall serve until a replacement nominee is approved by the Court. The nominating agency shall have the right to nominate that representative's successor.

Powers and Duties of the Watermaster

Subject to the continuing supervision and control of the Court, the Watermaster shall have and may exercise the following express powers, and shall perform the following duties, together with any specific powers, authority, and duties granted or imposed elsewhere in this Judgment or hereafter ordered or authorized by the Court in the exercise of its continuing jurisdiction:

- A. <u>Rules and Regulations</u>: The adoption of appropriate rules and regulations for the conduct of Watermaster affairs, copies of which shall be provided to all interested parties.
- B. <u>Wellhead Protection and Recharge</u>: The identification and management of wellhead protection areas and recharge areas.
- C. <u>Well Abandonment</u>: The administration of a well abandonment and well destruction program.

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- D. <u>Well Construction</u>: The development of minimum well construction specifications and the permitting of new wells.
 - E. <u>Mitigation of Overdraft</u>: The mitigation of conditions of uncontrolled overdraft.
 - F. Replenishment: The acquisition and recharge of Supplemental Water.
- G. <u>Monitoring</u>: The monitoring of groundwater levels, ground levels, storage, and water quality.
- H. <u>Conjunctive Use</u>: The development and management of conjunctive-use programs.
- I. <u>Local Projects</u>: The coordination of construction and operation, by local agencies, of recharge, storage, conservation, water recycling, extraction projects and any water resource management activity within or impacting the Beaumont Basin.
- J. <u>Land Use Plans</u>: The review of land use plans and coordination with land use planning agencies to mitigate or eliminate activities that create a reasonable risk of groundwater contamination.
- K. <u>Acquisition of Facilities</u>: The purchase, lease and acquisition of all necessary real and personal property, including facilities and equipment.
- L. <u>Employment of Experts and Agents</u>: The employment or retention of such technical, clerical, administrative, engineering, accounting, legal or other specialized personnel and consultants as may be deemed appropriate. The Watermaster shall maintain records allocating the cost of such services as well as all other expenses of Watermaster administration.
- M. <u>Measuring Devices</u>: Except as otherwise provided by agreement the Watermaster shall install and maintain in good operating condition, at the cost of the Watermaster, such necessary measuring devices or meters as Watermaster may deem appropriate. Such devices shall be inspected and tested as deemed necessary by the Watermaster and the cost thereof borne by the Watermaster. Meter repair and retesting will be a Producer expense.
- N. <u>Assessments</u>: The Watermaster is empowered to levy and collect the following assessments:

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(1) Annual Replenishment Assessments

The Watermaster shall levy and collect assessments in each year, in amounts sufficient to purchase replenishment water to replace Overproduction by any Party.

(2) Annual Administrative Assessments

a. <u>Watermaster Expenses</u>: The expenses of administration of the Physical Solution shall be categorized as either "General Watermaster Administration Expenses", or "Special Project Expenses".

General Watermaster Administration

Expenses: shall include office rent, labor, supplies, office equipment, incidental expenses and general overhead. General Watermaster Administration Expenses shall be assessed by the Watermaster equally against the Appropriators who have appointed representatives to the Watermaster.

- ii. <u>Special Project Expenses</u>: shall include special engineering, economic or other studies, litigation expenses, meter testing or other major operating expenses. Each such project shall be assigned a task order number and shall be separately budgeted and accounted for. Special Project Expenses shall be allocated to the Appropriators, or portion thereof, on the basis of benefit.
- O. <u>Investment of Funds: Borrowing</u>: The Watermaster may hold and invest Watermaster funds as authorized by law, and may borrow, from time-to-time, amounts not exceeding annual receipts.
- P. <u>Contracts</u>: The Watermaster may enter into contracts for the performance of any of its powers.
- Q. <u>Cooperation With Other Agencies</u>: The Watermaster may act jointly or cooperate with other local, state and federal agencies.
- R. <u>Studies</u>: The Watermaster may undertake relevant studies of hydrologic conditions and operating aspects of the management program for the Beaumont Basin.

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- S. Groundwater Storage Agreements: The. Watermaster shall adopt uniform rules and a standard form of agreement for the storage of Supplemental Water, provided that the activities undertaken pursuant to such agreements do not injure any Party.
- T. Administration of Groundwater Storage Capacity: Except for the exercise by the Overlying Parties of their respective Overlying Water Rights described in Part III, above, in accordance with the provisions of the Physical Solution, all Groundwater Storage capacity in the Beaumont Basin shall be subject to the Watermaster's rules and regulations, which regulations shall ensure that sufficient storage capacity shall be reserved for local projects. Any Person or entity may apply to the Watermaster to store water in the Beaumont Basin.
- U. Accounting for Stored Water: The Watermaster shall calculate additions, extractions and losses and maintain an annual account of all stored water in the Beaumont Basin, and any losses of water supplies or Safe Yield resulting from such stored water.
- V. Accounting, for New Yield: Recharge of the Beaumont Basin with New Yield water shall be credited to the Party that creates the New Yield. The Watermaster shall make an independent scientific assessment of the estimated New Yield created by each proposed project. New Yield will be allocated on an annual basis, based upon monitoring data and review by the Watermaster.
- W. Accounting for Acquisitions of Water Rights: The Watermaster shall maintain an accounting of acquisitions by Appropriators of water otherwise subject to Overlying Water Rights as the result of the provision of water service thereto by an Appropriator.
- X. Annual Administrative Budget: The Watermaster shall prepare an annual administrative budget for public review, and shall hold a public hearing on each such budget prior to adoption. The budget shall be prepared in sufficient detail so as to

make a proper allocation of the expenses and receipts. Expenditures within budgeted items may thereafter be made by the Watermaster as a matter of course.

Y. Redetermining the Safe Yield: The Safe Yield of the Beaumont Basin shall be redetermined at least every 10 years beginning 10 years after the date of entry of this Judgment.

Reports and Accounting

- (a) <u>Production Reports</u>: Each Pumper shall periodically file, pursuant to Watermaster rules and regulations, a report showing the total production of such Pumper from each well during the preceding report period, and such additional information as the Watermaster may reasonably require.
- (b) <u>Watermaster Report and Accounting</u>: The Watermaster shall prepare an annual report of the preceding year's operations, which shall include an audit of all assessments and Watermaster expenditures.

Replenishment

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

- (a) Recycled Water;
- (b) State Water Project Water;
- (c) Other imported water.

Replenishment may be accomplished by any reasonable method including:

- (a) Spreading and percolation, or injection of water in existing or new facilities; and/or
 - (b) In-lieu deliveries for direct surface use, in lieu of groundwater extraction.

VII. MISCELLANEOUS PROVISIONS

Designation of Address for Notice and Service

Each Party shall designate, in writing to the plaintiff, the name and address to be used for purposes of all subsequent notices and service herein, such designation to be delivered to the plaintiff

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within 30 days after the Judgment has been entered. The plaintiff shall, within 45 days after judgment has been entered, file the list of designees with the Court and serve the same on the Watermaster and all Parties. Such designation may be changed from time-to-time by filing a written notice of such change with the Watermaster. Any Party desiring to be relieved of receiving notices of Watermaster activity may file a waiver of notice on a form to be provided by the Watermaster. The Watermaster shall maintain, at all times, a current list of Parties to whom notices are to be sent and their addresses for 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. If no designation is made, a Party's designee shall be deemed to be, in order of priority: (i) the Party's attorney of record; or (ii) if the Party does not have an attorney of record, the Party itself at the address on the Watermaster list.

Intervention After Judgment

Any Person who is neither a Party to this Judgment nor a successor or assignee of a Party to this Judgment may seek to become a party to this Judgment by filing a petition in intervention.

Interference with Pumping

Nothing in this judgment shall be deemed to prevent any party from seeking judicial relief against any other party whose pumping activities constitute an unreasonable interference with the complaining party's ability to extract groundwater.

Successors and Assigns

This Judgment and all provisions herein shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

Severability

The provisions of this Judgment are severable. If any provision of this Judgment is held by the Court to be illegal, invalid or unenforceable, that provision shall be excised from the Judgment. The remainder of the terms of the Judgment shall remain in full force and effect and shall in no way be affected, impaired or invalidated by such excision. This Judgment shall be reformed to add, in lieu of the excised provision, a provision as similar in terms to the excised provision as may be possible and be legal, valid and enforceable.

Review Procedures

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Any action, decision, rule or procedure of the Watermaster pursuant to this Judgment shall be subject to review by the Court on its own motion or on timely motion by any Party, as follows:

- A. <u>Effective Date of Watermaster Action</u>: Any order, decision or action of the Watermaster pursuant to this Judgment on noticed specific agenda items shall be deemed to have occurred on the date of the order, decision or action.
- B. Notice of Motion: Any Party may, by a regularly-noticed motion, petition the Court for review of the Watermaster's action or decision pursuant to this Judgment. The motion shall be deemed to be filed when a copy, conformed as filed with the Court, has been delivered to the Watermaster, together with the service fee established by the Watermaster sufficient to cover the cost to photocopy and mail the motion to each Party. The Watermaster shall prepare copies and mail a copy of the motion to each Party or its designee according to the official service list which shall be maintained by the Watermaster according to Part VII, paragraph 1, above. A Party's obligation to serve the notice of a motion upon the Parties is deemed to be satisfied by filing the motion as provided herein. Unless ordered by the Court, any petition shall not operate to stay the effect of any Watermaster action or decision which is challenged.
- C. <u>Time for Motion</u>: A motion to review any Watermaster action or decision shall be filed within 90 days after such Watermaster action or decision, except that motions to review Watermaster assessments hereunder shall be filed within 30 days of mailing of notice of the assessment.
- D. <u>De Novo Nature of Proceeding</u>: Upon filing of a petition to review a Watermaster action, the Watermaster shall notify the Parties of a date when the Court will take evidence and hear argument. The Court's review shall be de novo and the Watermaster decision or action shall have no evidentiary weight in such proceeding.

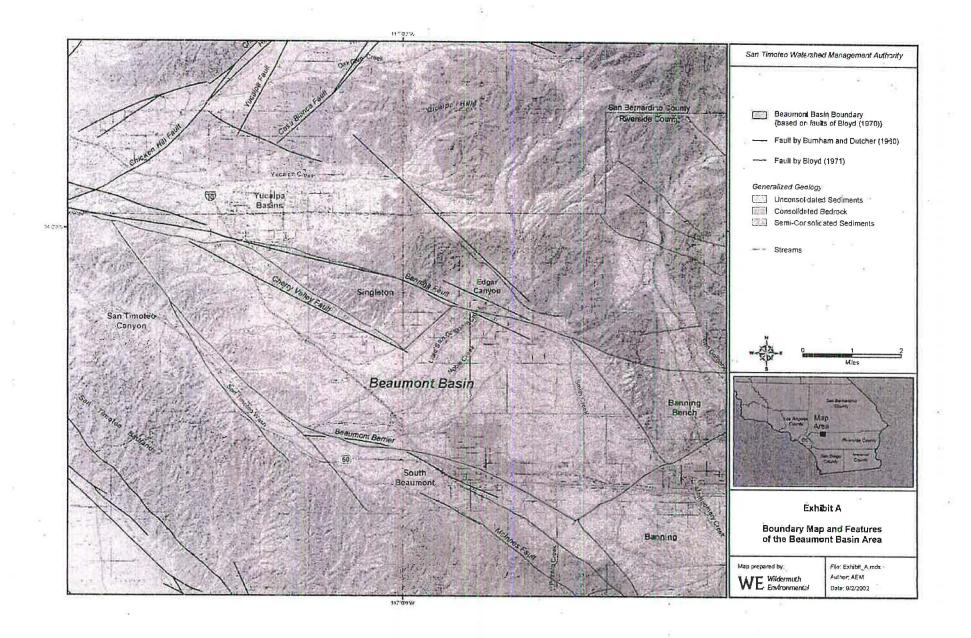


Exhibit B **Overlying Owners and Their Water Rights**

(1) Producer	(2) Average Production during 1997- 2001	(3) Exercised Rights ¹	(4) Projected Maximum Production
	(acre-fl/yr)	(acre-fl/yr)	(acre-fl/yr)
Beckman, Walt	σ	0	75
Roman Catholic Bishop of San Bernardino	104	114	154
Rancho Calimesa Mobile Home Park	60	150	150
Riedman, Fred L. and Richard M.	540	550	550
Sunny-Cal Egg and Poultry Company ²	1,340	1,340	1,784
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
Totals	4,381	5,845	8,650

Note 1 -- Maximum Reported Production during 1997-2001

Note 2 - The Exercised Right and Project Maximum Production are an aggregate right for defondonts Sunny-Cal Egg and Poultry, and Manheim, Manheim and Berman



Exhlbit C **Appropriators and Their Water Rights**

(1) Producer	(2) Average Production during 1997-2001	(3) Share of Sefe Yield Aflocated to Appropriators	(4) Initial Estimate of Appropriate Rights	(5) Controlled Overdraft and Supplemental Water Recharge Allocation ²	Operating Yield
	(acre Nyr)		(ecre-ft/yr)	(acre-ft/yr)	(acre-flyr)
Banning, City of	2,170	31.43%	882	5,029	5,910
City of Beaumont	0	0.00%	- 0	0	0
Beaumont Cherry Valley Water District	2,936	42.51%	1,193	6,802	7,995
South Mesa Water Company	862	12.48%	350	1,998	2,346
Yucaipa Valley Water District	938	13.58%	381	2,173	2,554
Totals	6,906	100.00%	2,805	16,000	18,805

Note 1 — Based on a 8,650 acre-ftlyr safe yield

Note 2— Controlled overdraft will not exceed 160,000 acre-ft during for first ten years of operation under the physical solution.



Exhibit D

Legal Description of Lands of the Overlying Parties¹

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Beckman, Walt	405250004	19.04
	405250005	19.00
Total Area		38.04
California Oak Valley Golf and Resort Total Area	406070041	209.71 209.71
Manheim, Manheim & Berman ²	407200009	20.35
100	407200011	20.00
	407200012	20.04
	407210001	45.41
	407210002	12.04
	407210004	4.16
Total Area		122.00
Roman Catholic Bishop of San Bernardino	413280016	16.78
	413280030	2.06
	413280036	12.42
Total Area		31.26
Oak Valley Partners	406060010	115.82
	406060015	4.00
	406060017	19.03
	406230020	4.26
	411210003	2.40
	411210005	105.41
	411210010	15.14
n n	411210016	9.77
	411210017	8.94
	413030011	315.30
₃ *	413040001	493.40
6	413040002	137.00
	413040003	74.48

Exhibit D

Legal Description of Lands of the Overlying Parties¹

	(1) Overlying Produc	er		(3) Assessors Parcel	(4) Area (Acres)
通過學生				Number(s)	
	Set .	,*		413040004	6.50
				413040005	80.02
			1	413040006	75.54
•	*1		4	413040007	76.22
				413040008	144.48
di di				413040009	10.00
				413040010	78.22
				413060003	.1.70
		2		413160003	80.00
	*			413160004	106.92
				413160005	53.08
8:	· ·			413160006	64.47
		9		413160007	15.53
				413170020	40.26
4				413170021	27.62
(4)			-	413170023	12.38
				413170027	14.19
	1			413170028	4.11
				413170029	2.35
				413170030	20.28
		9		413170031	66,63
				413170033	2.79
				413170035	11.74
	(4)			413180017	556.91
•				413180019	9.77
				413190001	111.31
				413190003	5.64
X				413190005	10.35
				413190008	12.40
	i.		-	413190011	138.92
		100		413200002	0.23
				413200003	0.15
				413200010	5.94
				413200014	10.61
		A		413200015	11.36
				413200020 413200023	5.00 14.47
				413200023	14.47

Exhibit D

Legal Description of Lands of the Overlying Parties¹

(1) Overlying Producer	(3) Assessors Parcel	(4) Area (Acres)
	Number(s)	(income
	Number(5)	
	413200024	5.00
V	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
	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

5,331.65

Exhibit D

Legal Description of Lands of the Overlying Parties¹

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
*	¥	
Plantation on the Lake	407230031	12.36
	407230010 406050018	1.25 156.85
	406050002	5.12
	406050003	1.81
Total Area	*	<u>177.39</u>
Rancho Calimesa Mobile Home Park	413270001	29.66
Total Area		29.66
Merlin Properties, LLC.	407230014	48.52
Total Area		48.52
Sharondale Mesa Owners Association	413330014	1.55
	413330015	2.14
W .	413331022	0.48
	413331035	0.22
	413340021 413340022	0.04 0.04
	413340022	1.53
	413340024	2.52
	413341033	0.29
	413341034	0.81
	413341036	0.35
	413342004	0.35
a la	413350011	1.04
	413350012	1.44
	413351018	17.08
,	413351019	0.16
The state of the s	413360032 413360033	1.92 2.30
4	413360035	0.90
20.	413361001	0.14
	413361008	0.12
	413361010	0.18
	413370027	0.39
	413370028	5.34
	413370030	0.69

Exhibit D

Legal Description of Lands of the Overlying Parties¹

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Total Area	413371018 413372019	2.07 1.39 45.48
		10.10
So. California Professional Golf Association	406060011	146.59
W. Control of the Con	406060013	2.83
	406060014	4.58
a a	406060016	10.35
	413450016	99.66
	413450022	95.15
"),	413450023 413450027	2.89 91.53
Total Area	413430027	453.58
Stearns, Leonard	413221001	0.25
	413221002	0.34
	413260018	49.33
	413260025	0.37
Si Si	413270007	10.58
	413280010	1.27
	413280018	9.37
	413280021	4.26
	413280027 413280037	3.80 14.32
Total Area	413200037	93.89
Sunny-Cal Egg and Poultry Company ²	406080013	0.07
I.	407180004	9.35
	407190013	2.01
	407190014	0.50
n n	407190015	1.35
	407190016	4.95
	407190017	31.32
	407190018	0.93
	407230022	20.03
	407230023	20.03
	407230024 407230025	20.03 21.99
	407230025	21.99 25.94
	40/230020	25.34

Exhibit D Legal Description of Lands of the Overlying Parties¹

	(1) Overlying Producer		(3) Assessors Parcel Number(s)	(4) Area (Acres)
	D.	ri	407230027 407230028	.21.63 21.56
Total Area				201.69
Total Area for All Overlying Producers			6,782.87	

Note 1 - Parcels as of June 1, 2003

Note 2 — Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company

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

EXHIBIT E



ALVARADOSMITH A PROFESSIONAL CORPORATION SANTA ANA

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

San Timoteo Watershed Management Authority v. City of Banning Riverside Superior Court Case No. 389197

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is AlvaradoSmith, 1 MacArthur Place, Santa Ana, CA 92707.

On March 18, 2019, I served the foregoing document described as AMENDED JUDGMENT PURSUANT TO STIPULATION ADJUDICATING GROUNDWATER RIGHTS IN THE BEAUMONT BASIN; ORDER TO SHOW CAUSE on the interested parties in this action.

by placing the original and/or a true copy thereof enclosed in (a) scaled envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

BY REGULAR MAIL: I deposited such envelope in the mail at 1 MacArthur Place, Santa Ana, California. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

BY THE ACT OF FILING OR SERVICE, THAT THE DOCUMENT WAS PRODUCED ON PAPER PURCHASED AS RECYCLED.

- **BY FACSIMILE MACHINE:** I Tele-Faxed a copy of the original document to the above facsimile numbers.
- BY OVERNIGHT MAIL: I deposited such documents at the Overnite Express or Federal Express Drop Box located at 1 MacArthur Place, Santa Ana, California 92707. The envelope was deposited with delivery fees thereon fully prepaid.
- BY PERSONAL SERVICE: I caused such envelope(s) to be delivered by hand to the above addressee(s).
- (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- (Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

Executed on March 18, 2019 at Santa Ana, California.

DONNA F. HEFLIN

SERVICE LIST

City of Banning Duane Burk Post Office Box 998 Banning, CA 92220 dburk@ci.banning.ca.us

Yucaipa Valley Water District Joseph Zoba Post Office Box 730 Yucaipa, CA 92399 jzobaAyywd.dst.ca.us

South Mesa Mutual Water Company George Jorritsma Post Office Box 458 Calimesa, CA 92320 smwcverizon.net

Beaumont-Cherry Valley Water District Eric Fraser 560 Magnolia Avenue Beaumont, CA 92223 erio fraserAbcvwd.org

Yucaipa Valley Water District Jack Nelson Post Office Box 730 Yucaipa, CA 92399 inelsonayywd dst.ca.us

City of Beaumont
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Beaumont, CA 92223
kwarsinskici beaumont.ca.us

Urban Logic Consultants
Dave Dillon
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Suite 200
Temecula, CA 92590
ulcdavea.aol.com

Sharondale Mesa Owners Association Ira Pace 9525 Sharon Way Calimesa, CA 92320 rbnip@msn.com

Plantation on the Lake James Krueger 10961 Desert Lawn Drive Calimesa, CA 92320 limkAmrcl.com

Robert Hawkins, Esq. 14 Corporate Plaza, Ste. 120 Newport Beach, CA 92660

California Oak Valley Golf and Resort, LLC. Ron Sullivan 27710 Jefferson Avenue, Suite 301 Temecula, CA 92590

Oak Valley Partners, LP. John Ohanian Post Office Box 645 10410 Roberts Road Calimesa, CA 92320 Latham and Watkins, LLP. Paul Singarella, Esq. 650 Town Center Drive, 20th Floor Costa Mesa, CA 92626-1925

Southern California
Professional Golfers
Association of America
Tom Addis
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Beaumont, CA 92223

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Manheim, Manheim and Berman Steve Anderson, Esq. Best, Best and Krieger 3750 University Avenue, Suite 400 Riverside, CA 92501

Sunny Cal Egg and Poultry Company Steve Anderson, Esq. c/o Best, Best and Krieger 3750 University Avenue, Suite 400 Riverside, CA 92501

Mrs. Beckman 38201 Cherry Valley Boulevard Cherry Valley, CA 92223 Merlin Properties, LLC.
Fred and Richard Reidman
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Long Beach, CA 90803
riedmangte.net

Leonard Steams
Post Office Box 141
Calimesa, CA 92320

San Bernardino Valley Municipal Water District Douglas Headrick 380 East Vanderbilt Way San Bernardino, CA 92408

San Gorgonio Pass Water Agency Barbara Voight 1210 Beaumont Avenue Beaumont, CA 92223

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Redwine and Sherrill Gil Granito, Esq. 1950 Market Street Riverside, CA 92501

Wildermuth Environmental, Inc. Samantha Adams 23692 Birtcher Drive Lake Forest, CA 92630-1790

Patsy Reeley 10096 Live Oak Avenue Cherry Valley, CA 92223 Luwana Ryan 9574 Mountain View Avenue Cherry Valley, CA 92223

Frances Flanders 41045 Mohawk Circle Cherry Valley, CA 92223

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Rancho Cucamonga, CA 91701
blandona@aldaenqineering.com
909.587.9916

Section 1 Background

The 2022 Consolidated Annual and Engineering Report of the Beaumont Basin Watermaster Committee (Watermaster) consolidates the information about the basin previously presented in Annual Reports with the information presented in the bi-annual Engineer's Report. This report documents activities in the Beaumont Basin for Calendar Year 2022. Section 3 of the original annual report has been expanded and retitled as "Status of the Basin and Administration of the Judgment"; it documents the Administration of the Judgment as well as provides a status of conditions in the basin addressing water production, water levels, recharge of supplemental water, water transfers, and storage activities. In addition, a Water Quality Conditions section, Section 4, has been added to document water quality of selected compounds at selected wells, as well as basin wide concentrations for the 2018-2022 five-year period.

1.1 History of the Beaumont Basin Stipulated Judgment

In January 2001, the City of Beaumont (Beaumont), the Beaumont-Cherry Valley Water District (BCVWD), the South Mesa Water Company (SMWC), and the Yucaipa Valley Water District (YVWD) formed the San Timoteo Watershed Management Authority (STWMA). One of the initial tasks of STWMA was to develop a watershed-wide program to develop and implement a comprehensive management program for the San Timoteo watershed.

Phase I of the management program, documented in the San Timoteo Watershed Management Program, Phase I Report (WEI, 2002), included the following goals:

- ✓ Enhancing water supplies
- ✓ Protecting and enhancing water quality
- Optimizing the management of STWMA area groundwater basins
- ✓ Protecting riparian habitat in San Timoteo Creek and protecting/enhancing habitat in the STWMA area
- ✓ Equitably distributing the benefits and costs of developing the Integrated Regional Watershed Management Program for the San Timoteo watershed

One of the elements identified in the management plan to achieve the listed goals consisted in the establishment of a groundwater management entity for the Beaumont Basin. As a result of this initiative, two groups representing overlying users and water agencies with interest in this basin began negotiations in May 2002.

Over the next 18 months of negotiations, a Stipulated Agreement was developed and submitted to the Court. Honorable Judge Gary Tranbarger of the Superior Court of the State of California for the County of Riverside signed the Agreement, titled "San Timoteo Watershed Management Authority, vs. City of Banning, et al." (Case No. RIC 389197), on February 4, 2004, (the Judgment).

Pursuant to the Judgment, the Court appointed a five-member Watermaster Committee, consisting of representatives from each of the Appropriator parties: City of Banning, City of Beaumont, Beaumont Cherry Valley Water District (BCVWD), South Mesa Water Company (SMWC), and Yucaipa Valley Water District (YVWD). The effective date of the Judgment for accounting purposes was retroactively established to July 1, 2003.

The Court gave the responsibility of managing the Basin to the Watermaster by approving the Stipulated Agreement but retained continuing jurisdiction should there be any future need to resolve difficult questions among the Parties.

1.2 Essential Elements of the Judgment

Elements of the 2004 Judgment are as follows:

- ✓ All producers shall be allowed to pump sufficient water from the Basin to meet their respective requirements.
- ✓ The Safe Yield of the Basin was established at 8,650 ac-ft/yr to be distributed among the Overlying Producers. The Safe Yield of the Basin is to be re-evaluated every 10 years, at a minimum.
- ✓ The Overlying Parties can extract a combined total of 8,650 ac-ft/yr with individual rights set for each Overlying Producer. If an Overlying Party pumps more than five times its share of the operating Safe Yield in any five consecutive years, the overlying producer shall provide Watermaster with sufficient funds to replace the overproduction.
- ✓ A controlled overdraft of the basin was allowed to create enough additional storage capacity to prevent the waste of water. This controlled overdraft, also known as <u>Temporary Surplus</u>, allows Appropriators to extract up to 160,000 ac-ft of water from the basin over the 10-year period immediately following the Judgment inception. The Temporary Surplus will cease after the initial 10 years of operations.
- ✓ During the first ten years after adoption of the Judgment, the Appropriators have the right to extract, as a whole, a maximum of 16,000 ac-ft/yr not including storage credits from spreading supplemental water or transfers from Overlying Parties. The Temporary Surplus was divided among the Appropriators as follows:

•	Beaumont Cherry Valley WD	42.51 percent or 6,802 ac-ft/yr
•	City of Banning	31.43 percent or 5,029 ac-ft/yr
•	South Mesa Water Company	12.48 percent or 1,997 ac-ft/yr
•	Yucaipa Valley Water District	13.58 percent or 2,173 ac-ft/yr

✓ After the first 10 years of operation, Appropriators can extract only the amount each has in storage or credited to them. An Appropriator shall provide Watermaster with sufficient funds to replace any amount of overproduction that may have occurred over a five-year consecutive period.

- ✓ The Watermaster has the authority to enter into Groundwater Storage Agreements with local and regional agencies for the storage of supplemental water, wellhead protection and recharge, well abandonment, well construction, monitoring, replenishment, mitigation of overdraft, and collection of assessments.
- ✓ Supplemental replenishment water can be in the form of recycled water, imported State Project Water, or other imported water. Replenishment can be accomplished by spreading and percolation, injection, or in-lieu use of surface water or imported water.
- ✓ A minimum of 200,000 ac-ft of groundwater storage capacity was reserved for conjunctive use. Any person, party to the Judgment can make reasonable beneficial use of the groundwater storage capacity for storage of supplemental water provided that it is in accordance with a storage agreement with Watermaster.
- ✓ Minimal producers, those producing less than 10 ac-ft/yr from the basin, and not listed in the Judgment, are exempt from the provisions of the Judgment.

1.3 2022 Legal Rulings Relating to the Judgment

There were no legal rulings relating to the Judgment during CY 2022.

1.4 Watermaster Responsibilities

Under the Judgment, the Watermaster is granted discretionary powers to develop and implement a groundwater management plan for the Beaumont Basin, including water quality and quantity considerations and being reflective of the provisions of the Judgment.

In carrying out its duties, Watermaster is responsible for providing the legal and practical means of ensuring that the waters of the Basin are put to maximum beneficial use. Specific responsibilities are summarized below.

- 1.- Administer the Beaumont Basin Judgment. Watermaster operates under the Judgment and the Rules and Regulations, which were originally adopted June 8, 2004, and subsequently amended in 2006 and 2008. The Rules and Regulations were most recently amended in 2019. The Judgment and the Rules and Regulations establish the procedures by which Watermaster accounts for the water resources of the Basin. Watermaster has the power to collect administrative assessments from all Appropriators and replenishment assessments from those parties (Appropriative and Overlying) pumping in excess of their pumping right to fund its operations. Each year, Watermaster publishes an Annual Report, which documents groundwater production, recharge activities, water transfers between appropriators, transfers of water rights from an overlying member to an appropriator in the Beaumont Basin.
- **2.- Approve Producer Activities.** All producers must notify and obtain approval, as necessary, from Watermaster for activities, such as recharging water, transferring or exchanging water, storing local water, and storing or recovering supplemental water.
- **3.- Maintain and Improve Water Supply.** On an annual basis, Watermaster determines the amount of groundwater that each producer is entitled to pump from the Basin without incurring a replenishment obligation. Further, Watermaster is responsible for facilitating and coordinating

the acquisition, recharge, and storage of imported water or other local supplemental water to replenish and/or conjunctively manage the Basin to increase local supplies.

- **4.- Monitor and Understand the Basin.** Watermaster is responsible for collecting information from producers, and other cooperating agencies, in order to enhance its knowledge of how the Basin works and manage it more effectively. Information collected by the Watermaster includes:
 - ✓ Water production, water level, and water quality information from the Appropriator Parties.
 - ✓ Water production and water level information from the Overlying Parties.
 - ✓ Water level and water quality data collected by local agencies as part of their Maximum Benefit and Monitoring Program for the Beaumont Management Zone.
 - ✓ Ground surface elevations from periodic surveys conducted to determine whether ground subsidence may be occurring as a result of over pumping from the basin.
- **5.- Maintain and Improve Water Quality.** Watermaster coordinates and participates in local efforts to preserve and/or enhance the quality of groundwater in the Basin. It assists and encourages regulatory agencies to enforce water quality regulations that may have an effect on the Basin groundwater sources and its surrounding resources. One of these programs is the Maximum Benefit Monitoring Program of the Beaumont Management Zone.
- 6.- Develop and Administer a Well Policy. Watermaster is responsible for developing a policy on the proper construction and abandonment of wells in the Basin. Through the adoption of Resolution 2004-04, the Watermaster adopted minimum standards for the construction, repair, abandonment and destruction of groundwater extraction wells in the Beaumont Basin. As part of this resolution, Watermaster adopted Riverside County Ordinance No. 682.3 and expanded it to require the installation of a sounding tube in order to facilitate the measurement of water levels on all future wells.
- **7.- Develop Contracts for Beneficial Programs and Services.** Watermaster is responsible for developing and entering into contracts for programs and services that are beneficial to the Basin on behalf of the Parties to the Judgment. This includes programs for conjunctively utilizing the Basin for the storage of supplemental water with other agencies and programs to implement and expand the direct or indirect use of recycled water.
- **8.- Provide Cooperative Leadership.** Watermaster may act jointly or cooperate with other local, state, and/or federal agencies to develop and implement regional scale programs for the management of the Basin and its surrounding resources.

1.5 Watermaster Address

For the purposes of conducting Watermaster business and maintaining 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

1.6 Watermaster Website

Watermaster website address is www.beaumontbasinwatermaster.org. This website is maintained by YVWD and it is used by the Watermaster to communicate its activities to the Parties and the public. The website contains copies of the Judgment, the Rules and Regulations, Annual Reports, and Engineer's Reports. In addition, it contains meeting minutes, meeting agendas, and other documents of interest.

1.7 Mission Statement

Watermaster adopted the following mission statement in October 2004:

"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."

Attachmnent 3

Watermaster Responsibilities (Annual Report Section 1.3)	Powers and Duties of the Watermaster (Stipulated Judgment, pages 12 – 16)			
 Administer the Beaumont Basin Judgment Approve Producer Activities Maintain and Improve Water Supply Monitor and Understand the Basin Maintain and Improve Water Quality Develop and Administer a Well Policy Develop Contracts for Beneficial Programs and Services Provide Cooperative Leadership 	 A. Rules and Regulations B. Wellhead Protection and recharge C. Well Abandonment D. Well Construction E. Mitigation of Overdraft F. Replenishment G. Monitoring H. Conjunctive Use I. Local Projects J. Land Use Plans K. Acquisition of Facilities L. Employment of Experts and Agents M. Measuring Devices N. Assessments O. Investment of Funds: Borrowing P. Contracts Q. Cooperation with Other Agencies R. Studies S. Groundwater Storage Agreements T. Administration of Groundwater Storage Capacity U. Accounting for Stored Water V. Accounting for New Yield W. Accounting for Acquisitions of Water Rights X. Annual Administrative Budget Y. Redetermining the Safe Yield 			

September 6, 2018

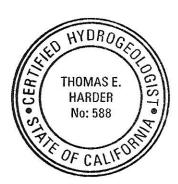
Prepared for

Beaumont Basin Watermaster

Prepared by

Thomas Harder

Principal Hydrogeologist



In Association with Alda Inc.

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1.0 Introduction

This report presents the results of an evaluation of the impacts of various managed recharge and groundwater pumping scenarios on subsurface groundwater storage losses within the Beaumont Basin. As reported in the 2013 Reevaluation of the Beaumont Basin Safe Yield (TH&Co, 2015), groundwater underflow losses occur in various locations along the southern and western boundaries of the Beaumont Basin (see Figure 1). The amount of loss varies with time and is sensitive to pumping and recharge from both within and outside the Beaumont Basin. Further, the losses are affected by the location of managed recharge, the rates and location of groundwater pumping and the duration of underground storage.

1.1 Purpose and Scope

The purpose of this analysis is to address the following questions:

- 1. What impact has historical managed recharge in the Beaumont Basin had on underflow outflow from the basin?
- 2. How are underflow losses predicted to change in the future with additional managed recharge and/or pumping?

1.2 Analysis Methodology

Basin losses were analyzed using a calibrated numerical groundwater flow model of the Beaumont Basin adjudicated area. The calibrated model incorporates a comprehensive hydrogeological database of the basin, as summarized in TH&Co (2015). The types of data used to develop the model include geology, soils/lithology, groundwater levels, hydrogeology, surface water hydrology, and groundwater recharge and pumping. Information regarding predicted model stresses was provided by Beaumont-Cherry Valley Water District (BCVWD) and the City of Banning.

Basin losses were evaluated by comparing the model-generated subsurface outflow of a baseline condition with that of a recharge or production scenario. Both historical and predictive future scenarios were developed for analysis using the model. As the basin is bifurcated into two separate hydrologic areas, separate subsurface outflow comparisons were made for the area of the Beaumont Basin located west of the central Beaumont Plains Fault and the area east of the central Beaumont Plains Fault (see Figure 2).



2.0 Scenarios for Analysis Using the Groundwater Flow Model

Model analysis scenarios were described in TH&Co (2017) and modified for this analysis to address Beaumont Basin Watermaster (Watermaster) comments. Each scenario was developed to address a different storage issue. Issues that were considered for this analysis included:

- Location of managed recharge,
- Location of groundwater pumping, and
- Groundwater extraction amounts.

Each scenario is evaluated relative to a baseline basin operational condition in order to evaluate potential changes in basin losses under various recharge and pumping conditions. Assumptions for each scenario and baseline are summarized in Table 1 and described below.

Scenario 1 – Evaluation of Storage Losses from Historical Managed Recharge

Scenario 1 was developed to estimate the historical changes in storage losses that have occurred in the Beaumont Basin as a result of the managed recharge of supplemental water in Beaumont-Cherry Valley Water District's (BCVWD's) Noble Creek Recharge Facility. The baseline for the Scenario 1 historical analysis is the actual groundwater basin condition represented by the calibrated model. The baseline historical condition was compared to a simulation with no historical supplemental recharge in the BCVWD Noble Creek basins (2006 through 2016).

Scenario 2 – Projected Future Storage Losses from Planned Recharge by the San Gorgonio Pass Water Agency

The San Gorgonio Pass Water Agency (SGPWA) is planning a recharge facility immediately west of Beaumont Avenue and south of Brookside Avenue (see Figure 2). The purpose of Scenario 2 was to evaluate the potential increase in storage losses from predicted managed recharge within this facility.

Scenario 2 is a 10-year future simulation for the period from 2017 through 2026. The baseline condition for comparison with the scenario incorporates future Beaumont Basin groundwater production in accordance with agency Urban Water Management Plans (UWMPs) (see Tables 1 and 2). Managed recharge at the BCVWD Noble Creek facility for the baseline future projection is based on projections published in the BCVWD 2015 UWMP (see Table 2). There is no managed recharge at the SGPWA recharge facility in the baseline.

Managed recharge at the SGPWA recharge facility for Scenario 2 was simulated to be 1,333 acre-ft/yr between 2019 and 2024 and 2,500 acre-ft/yr in 2025 and 2026. It is noted that



there is no projected recharge in the first two years of the 10-yr predictive simulation as it is assumed that the recharge facility will not be ready to receive water until 2019. The managed recharge at the SGPWA basins is the only difference between the Scenario 2 baseline and Scenario 2.

Scenario 3 – Increased Groundwater Production

Scenario 3 was developed to evaluate the impact of increased groundwater production in the eastern portion of the Beaumont Basin on subsurface losses associated with managed recharge in the same portion of the basin. This scenario includes two sub-scenarios:

- Scenario 3A Groundwater production in the scenario is based on UWMP projections of future production from 2017 through 2026 and compared to a baseline condition where future groundwater production is fixed at 2016 pumping rates. Managed recharge is from the BCVWD Noble Creek facility only (no SGPWA recharge).
- **Scenario 3B** Baseline and scenario projections of future groundwater production are the same as 3A. Managed recharge from both the BCVWD Noble Creek facility and SGPWA facility are included.

Future projections of groundwater production for Scenarios 3A and 3B are based on the most recent UWMPs for BCVWD and the City of Banning. BCVWD groundwater production was increased from 12,218 acre-ft/yr in 2016 to 16,576 acre-ft/yr in 2026. The increase in pumping was apportioned to BCVWD's wells as summarized in Table 3 and shown on Figures 3 and 4. City of Banning groundwater production within the Beaumont Basin adjudicated area was increased from 1,472 acre-ft/yr in 2016 to 2,155 acre-ft/yr in 2026. The increase in pumping was apportioned to the City's wells as summarized in Table 4 and shown on Figures 3 and 4.

Scenario 4 – Additional Groundwater Recharge – North-Central Basin

Scenario 4 was developed to potential future changes in basin losses from a hypothetical recharge project west of the Beaumont Plains Fault Zone. The hypothetical recharge project is located in the north-central part of the Beaumont Basin northeast of BCVWD's Well 29 (see Figure 2). The baseline condition for each of the three sub-scenarios that were developed is the same as for Scenario 2 and includes future pumping and recharge in accordance with each basin agency's UWMPs but no future SGPWA recharge. Assumptions for the sub-scenarios are summarized as follows:





- **Scenario 4A** Managed recharge at a constant annual rate of 500 acre-ft/yr for the predictive period of 2017 through 2026.
- **Scenario 4B** Managed recharge at a constant annual rate of 1,000 acre-ft/yr for a predictive period of 2017 through 2026.
- **Scenario 4C** Managed recharge at a constant annual rate of 1,800 acre-ft/yr for a predictive period of 2017 through 2026.

For each recharge scenario, groundwater production in the western portion of the basin was kept at 2016 levels for the first four years of the predictive period. For the last six years, groundwater production at Yucaipa Valley Water District's Well 34 was increased by 450 acre-ft/year in order to accommodate the additional water demand for Oak Valley Partners' planned development.

Scenario 5 – Additional Groundwater Recharge – South-Central Basin

Scenario 5 analyzes impacts of a hypothetical recharge project in the south-central part of the Beaumont Basin in the vicinity of the area previously proposed for recharge by the Morongo Band of Mission Indians (see Figure 2). The baseline condition for this scenario is the same for Scenario 4. For this scenario, 500 acre-ft/year was added to the hypothetical recharge area for the 10 year predictive period from 2017 through 2026.

Scenario 6 – In-Lieu Pumping of BCVWD Well 29

Scenario 6 was developed to estimate the potential effects on basin losses from delivering water from an outside source to the western portion of the Beaumont Basin in-lieu of pumping BCVWD's Well 29. The baseline condition for this scenario is the same for Scenarios 4 and 5. For this scenario, groundwater production from BCVWD's Well 29 is not included in the future projection from 2017 to 2026. It is noted that there is no assumed reduction in BCVWD Noble Creek recharge in Scenario 6.



3.0 Findings and Conclusions

Scenario 1 – Evaluation of Storage Losses from Historical Managed Recharge

Comparison of basin underflow losses from the historical baseline condition (calibrated model) with the underflow losses in a hypothetical basin scenario with no managed recharge at the BCVWD Noble Creek facility shows that managed recharge at this facility has resulted in increased underflow losses out of the basin. The estimated additional losses with managed recharge is approximately 14,100 acre-ft over the 11-yr period between 2006 and 2016 (i.e. approximately 1,280 acre-ft/yr averaged over the period) (see Table 5). The majority of the losses (approximately 13,800 acre-ft) occur in the eastern portion of the basin. The balance of additional loss (approximately 260 acre-ft) occurs in the western portion of the basin.

Scenario 2 – Projected Future Storage Losses from Planned Recharge by the San Gorgonio Pass Water Agency

Comparison of potential future basin underflow losses from a baseline condition that does not include SGPWA recharge with a scenario that includes a cumulative of 13,000 acre-ft of SGPWA recharge over a 10 year period shows that the simulated additional recharge would result in a cumulative increase in basin losses of approximately 2,000 acre-ft over the 10-yr future predictive period (i.e. approximately 200 acre-ft/yr). The majority of the losses (approximately 1,900 acre-ft) occur in the eastern portion of the basin (see Table 5). The balance of additional loss (approximately 75 acre-ft) occurs in the western portion of the basin. It is noted that the predictive scenario with SGPWA recharge does not include any additional groundwater production above that predicted from UWMPs.

Scenario 3 – Increased Groundwater Production

Predictive model simulation results that include increased groundwater pumping in the area downgradient of the existing BCVWD and planned SGPWA basins, relative to simulations with lesser groundwater pumping, show that the additional groundwater pumping reduces the basin losses otherwise incurred. Comparison of basin underflow losses from a baseline condition with groundwater production fixed at 2016 rates with a scenario that simulates higher rates of groundwater production consistent with predictions in UWMPs shows that the higher rates of production result in lower basin losses. An increase in groundwater production on the order of 5,000 acre-ft/yr in the area directly downgradient of the area of managed recharge results in a 10-yr decrease in basin losses of approximately 13,100 acre-ft (1,310 acre-ft/yr) in the eastern portion of the basin and approximately 14,100 acre-ft in the basin as a whole. This reduction in loss occurs with or without managed recharge at the planned SGPWA basins.





Scenario 4 – Additional Groundwater Recharge – North-Central Basin

Increasing managed recharge in the north-central basin, as simulated with a conceptual recharge basin immediately northeast of BCVWD Well 29, will increase losses in the western portion of the basin proportionate to the amount of water recharged. Increasing recharge by 500 acre-ft/yr with a commensurate increase in groundwater pumping at YVWD Well 34 (Scenario 4A) results in a decrease in basin loss of 134 acre-ft on the west side of the basin (approximately 13 acre-ft/yr) and a decrease of 255 acre-ft basin-wide. Increasing recharge by 1,000 acre-ft/yr with a commensurate increase in groundwater pumping at YVWD Well 34 results in an increase in basin loss of 256 acre-ft on the west side of the basin and an increase of 165 acre-ft basin-wide. Increasing recharge by 1,800 acre-ft/yr increases basin losses by approximately 1,998 acre-ft over the 10 year period (200 acre-ft/yr) with an approximate 400 acre-ft reduction in losses on the east side of the basin (see Table 5). The analysis suggests that pumping YVWD Well 34 at the same rates as recharge helps reduce the losses. However, this well is not located in an area to fully take advantage of managed recharge in the north central portion of the basin west of the Beaumont Plains Faults, particularly at recharge rates greater than 500 acre-ft/yr.

Managed recharge in the western portion of the basin would be beneficial to address declining groundwater levels from historical pumping and may be necessary to ensure basin sustainability in this area when planned future developments are constructed. Future recharge in this area should include new production wells or increased production from existing wells located directly downgradient of the basin in order to fully take advantage of the water stored in the aquifer and minimize losses out of the basin.

Scenario 5 – Additional Groundwater Recharge – South-Central Basin

Increasing managed recharge in a conceptual recharge facility in the south-central portion of the basin is predicted to increase underflow losses out of the basin. Comparison of potential future basin underflow losses from a baseline condition that does not include the south-central basin recharge with a scenario that includes a cumulative of 5,000 acre-ft of imported recharge over a 10 year period (500 acre-ft/yr) shows that the simulated additional recharge would result in a cumulative increase in basin losses of approximately 540 acre-ft over the 10-yr future predictive period (i.e. approximately 54 acre-ft/yr). Based on model results, it appears that the basin losses from this recharge will occur to the northwest of the conceptual recharge location. It is noted that this scenario is predicted to result in increased basin losses in the eastern portion of the basin although it is not clear why.





Scenario 6 – In-Lieu Pumping of BCVWD Well 29

The model scenario where BCVWD Well 29 is turned off and the water demand otherwise met by the well is assumed to be delivered to the western portion of the Beaumont Basin from outside the area shows that basin losses are projected to increase by approximately 970 acre-ft over the 10-yr predictive period (97 acre-ft/yr). Basin losses are projected to be slightly less (9 acre-ft/yr) on the east side of the basin as a result of this scenario.





4.0 Recommendations

The groundwater basin loss analysis presented herein shows that losses associated with managed supplemental water recharge are highly sensitive to the volume of recharge and the location and pumping capacity of downgradient production wells to capture the water. Historically, groundwater pumping on the east side of the basin has not been adequate to capture water recharged in the BCVWD Noble Creek basins and the basin losses are significantly higher than they otherwise would have been without the recharge. Quantifying future losses associated with managed supplemental water recharge in both the east and west portions of the Beaumont Basin will require an understanding of the complex and sensitive relationship between recharge and pumping.

Quantifying and accounting for losses from supplemental water recharge is necessary to ensure that the water balance accounting of the Beaumont Basin is as accurate and representative as possible. The calibrated groundwater flow model of the Beaumont Basin is the best available tool for accounting for supplemental water recharge losses in the future. The numerical model accounts for both the spatial and temporal variability in pumping and recharge basin-wide as well as specific areas. The model can be used on an annual basis to quantify losses from the previous year by comparing the subsurface outflow from the updated calibrated model to the subsurface outflow in a model scenario with no managed recharge, similar to Scenario 1 of this analysis. Storage losses could either by accounted on a year-by-year basis or on a 5-yr rolling average.





5.0 References

Thomas Harder & Co., 2015. 2013 Reevaluation of the Beaumont Basin Safe Yield. April 3, 2015.

Thomas Harder & Co., 2017. Preliminary Recharge and Recovery Scenarios for Analysis to Estimate Storage Losses in the Beaumont Basin. Technical Memorandum dated August 29, 2017.





Summary of Model Scenario Assumptions

Baseline Assumptions							
BCVWD ¹ SGPWA ² Groun							
Scenario	Scenario Time Period Recharge		Recharge	Pumping			
1	1 2006 -2016 Reported		N/A ³	Reported			
2	2017 - 2026	UWMP	No	UWMP			
3A	2017 - 2026	UWMP	No	2016 Fixed			
3B 2017 - 2026 UWMP		Yes	2016 Fixed				
4A 2017 - 2026 UWMP		No	UWMP				
4B 2017 - 2026 UWM		UWMP	No	UWMP			
4C	2017 - 2026	UWMP	No	UWMP			
5	2017 - 2026	UWMP	No	UWMP			
6	2017 - 2026	UWMP	No	UWMP			

Scenario Assumptions						
SGPWA	Groundwater					
Recharge	Pumping					
N/A	Reported					
Yes	UWMP					
No	UWMP					
Yes	UWMP					
No	UWMP/YVWD 34 ⁵					
No	UWMP/YVWD 34 ⁵					
No	UWMP/YVWD 34 ⁵					
No	UWMP					
No	UWMP/No BCVWD Well 29					
	SGPWA Recharge N/A Yes No Yes No No No No					

Notes:

¹ BCVWD = Beaumont-Cherry Valley Water District.

² SGPWA = San Gorgonio Pass Water Agency.

 $^{^3}$ N/A = Not Applicable.

⁴ UWMP = Production and recharge based on published values in Urban Water Management Plans.

⁵ See Table 2

Production and Recharge Input Summary

		Artificial	Baseline			Scenario			
		Recharge	Acre-ft/yr		Total	Acre-ft/yr		Total	
Scenario		Basin	2017 to 2024	2025 to 2026	2017 to 2026	2017 to 2024	2025 to 2026	2017 to 2026	
	Production	-	N/A	N/A		N/A	N/A		
1	Recharge	Noble Creek SGPWA	N/A	N/A	0	N/A	N/A	0	
	Production	-	23,556	25,653	239,750	23,556	25,653	239,750	
2	Darkana	Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
	Recharge	SGPWA	0	0	0	1,333	2,500	15,667	
	Production	-	17,	324	173,240	23,556	25,653	239,750	
3A	Daabaasa	Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
	Recharge	SGPWA	0	0	0	0	0	0	
	Production	-	17,	324	173,240	23,556	25,653	239,750	
3B	Dacharga	Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
	Recharge	SGPWA	1,333	2,500	13,000	1,333	2,500	15,667	
	Production	-	23,556	25,653	239,750	23,838	26,153	243,008	
4.0		Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
4A	Recharge	SGPWA	0	0	0	0	0	0	
		North-Central	0	0	0	500	500	5,000	
	Production	-	23,556	25,653	239,750	24,038	26,653	245,608	
40	Recharge	Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
4B		SGPWA	0	0	0	0	0	0	
		North-Central	0	0	0	1,000	1,000	10,000	
	Production	-	23,556	25,653	239,750	24,202	27,453	248,522	
4C		Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
40	Recharge	SGPWA	0	0	0	0	0	0	
		North-Central	0	0	0	1,800	1,800	18,000	
	Production	-	23,556	25,653	239,750	23,556	25,653	239,750	
5		Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
5	Recharge	SGPWA	0	0	0	0	0	0	
		South-Central	0	0	0	500	500	5,000	
	Production	-	23,556	25,653	239,750	23,556	25,653	239,750	
6	Recharge	Noble Creek	11,313	12,907	116,318	11,313	12,907	116,318	
		SGPWA	0	0	0	0	0	0	

BCVWD Production Allocation - Storage Loss Analysis

Well	Total Production (acre-ft/yr) 2016	Projected Production (acre-ft/yr) 2017 - 2024 2025 - 2026		
Well	2010	2017 - 2024	2023 - 2020	
BCVWD 1	0	1,000	1,000	
BCVWD 2	0	1,000	1,000	
BCVWD 3	2,138	2,039	2,426	
BCVWD 16	762	762	762	
BCVWD 21	2,693	2,569	3,057	
BCVWD 22	872	832	989	
BCVWD 23	2,138	2,039	2,426	
BCVWD 24	1,097	1,047	1,245	
BCVWD 25	0	1,000	1,000	
BCVWD 26	1,128	1,076	1,280	
BCVWD 29	1,390	1,390	1,390	
Total (Acre-ft/yr):	12,218	14,753	16,576	

Banning Production Allocation - Storage Loss Analysis

	Total Production (acre-ft/yr)	Projected Production (acre-ft/yr)		
Well	2016	2017 - 2024	2025 - 2026	
Banning C2	0	73	79	
Banning C2A	94	79	105	
Banning C3	318	541	582	
Banning C4	602	720	776	
Banning M2	0	0	0	
Banning M3	458	569	613	
Banning M9	0	0	0	
Total (Acre-ft/yr):	1,472	1,983	2,155	

Summary of Storage Loss Analysis Results

	_			Relative Basin Loss Baseline - Scenario			
Scenario	Time Period	Total Supplemental Recharge	Total Pumping	East	West	Total Storage Loss	
1	2006 - 2016	70,123	172,251	13,826	261	14,087	
2		131,985	239,750	1,920	75	1,995	
3A		116,318	239,750	-13,119	-961	-14,080	
3B		131,985	239,750	-13,145	-1,015	-14,160	
4A	2017 - 2026	121,318	243,008	-122	-134	-255	
4B	2017 - 2026	126,318	245,608	-91	256	165	
4C		134,318	248,522	-409	1,998	1,589	
5		121,318	239,750	-37	538	501	
6		116,318	239,750	-88	967	879	

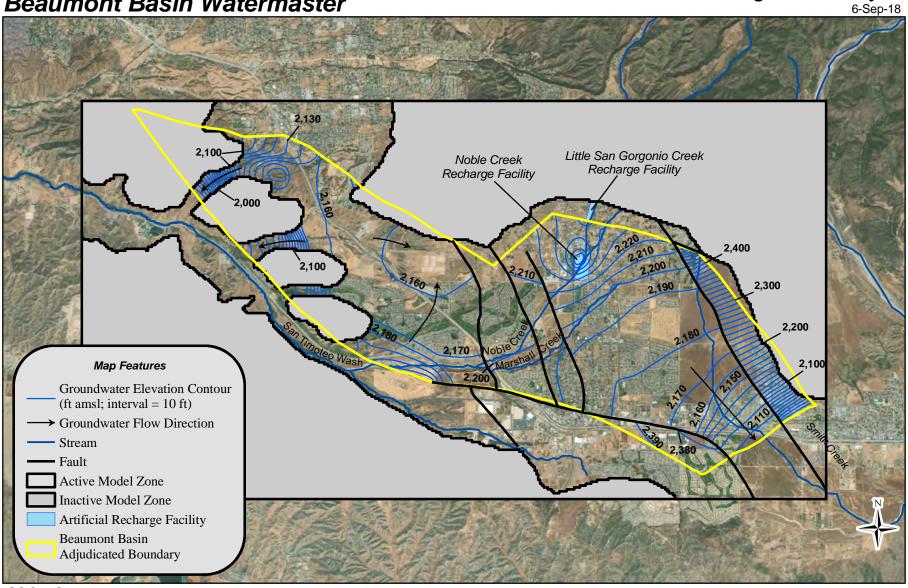
Note:

All values in acre-ft.

Positive values indicate a loss out of the basin relative to the base case.

Negative values indicate a gain.

Beaumont Basin Watermaster



Alda, Inc. in association with





Groundwater Elevation Contours in the Beaumont Basin - Fall 2016 Figure 1

Beaumont Basin Watermaster 6-Sep-18 **SGPWA Spreading Basins BCVWD** North **Spreading Basins Central Basin** Map Features Appropriator Production Well Overlyer Production Well Recharge Facility Planned Recharge Basin South Conceptual Recharge Basin Central Basin City of Beaumont Stormwater Capture Basin Beaumont Basin Adjudicated Area - Fault Freeways

Thomas Harder & Co.

Groundwater Consulting
in association with Alda, Inc.



Zone Budget Areas for Estimating Storage Losses Figure 2

Beaumont Basin Watermaster 6-Sep-18 BCVWD 16 BCVWD 21 BCVWD 24 **BCVWD 25** Map Features 2016 Groundwater Production (acre-ft/yr) 0 - 500 BCVWD 2 BCVWD 1 500 - 1,000 1,000 - 1,500 **BCVWD 26** 1,500 - 2,000 BCVWD3 2,000 - 2,500 BAN C-4 2,500 - 3,000 BAN C-2A Beaumont Basin Adjudicated Area Freeways Thomas Harder & Co. 0.25 0.5 Groundwater Consulting in association with Alda, Inc.

NAD 83 CA State Plane Zone 6

Beaumont Basin Watermaster 6-Sep-18 BCVWD 16 BCVWD 24 BCVWD 21 Map Features 2026 Projected Groundwater **BCVWD 25** Production (acre-ft/yr) 0 - 500 500 - 1,000 1,000 - 1,500 1,500 - 2,000 BCVWD 1A **BCVWD 26** 2,000 - 2,500 **BCVWD 3** 2,500 - 3,000 3,000 - 3,500 BAN C-2A Beaumont Basin Adjudicated Area Freeways





2026 Projected Groundwater Production Figure 4 permanent transfer of overlying water rights. Appropriators can increase their extraction credits by spreading imported water, he added.

If production exceeds credits, the excess must be drawn from storage, and if production is less than credits, water remains in storage at the end of the year, Blandon explained.

Blandon reviewed the report and noted that imported water has been delivered only to the Beaumont-Cherry Valley Water District. Production has totaled 12,079 af and noted some agencies have exceeded their credits.

Member Zoba asked about rollover of extraction credits. Mr. Blandon assured that those overlying rights and extraction credits are accounted for and roll over at the end of the year. Mr. Zoba pointed out that the water must be used on the property. Mr. Blandon suggested an annual accounting for parcels, and Zoba requested a separate chart to clarify.

Being that the Court ruling is new, Member Jaggers suggested bringing this back as an agenda item.

G. Storage Accounting Issues – Preliminary Framework

Recommendation: No recommendation. Informational only.

Mr. Blandon advised that it has been brought to attention that the historic amount of water may not be commensurate with the amount of water that is in the Basin. He presented historic hydrological conditions of the Beaumont Basin.

The 2003 basin adjudication assigned production to the overliers based on the 1997 to 2001 period, he explained. There is no documentation regarding the determination of the initial safe yield of 8,650 af and water rights assigned to overliers, he said.

Overliers have been producing one-third to one-half of the amount they are allowed to produce, Blandon said. This has been documented on a monthly basis, and is the reason there is a significant amount of water being transferred to the appropriators on a five-year lag, he noted.

In response to a question from Chair Vela, Mr. Blandon explained that the concept of managed overdraft was introduced to allow the extraction of 16,000 af per year over a 10-year period. All appropriators and overliers had the right to extract a certain amount of water.

Mr. Harder pointed out that there is no operating safe yield defined in the judgment. The term is used to present the annualized safe yield. The safe yield was recalculated in 2013 as 6,700 af, Blandon noted. The ten-year control of overdraft terminated in 2013 and is no longer available to appropriators. He pointed to significant production above the safe yield and stated that figures show the western and central portions of the basin in decline, while the eastern portion is trending up.

Additions to the Basin are the unused overlying production with a fiveyear lag, a temporary surplus of 16,000 af per year, contribution of imported water, and determining transfers to appropriators. On the subtraction side, there is groundwater production by appropriators. Overlying underproduction transfer by appropriators is equivalent to 5,000 to 6,000 af per year, resulting in underproduction by 69,680 af by overlies that has been transferred.

The concept of temporary surplus is defined in the judgment as the amount of groundwater that can be pumped safely in excess of the safe yield, Blandon continued. In 2003, the idea was that the appropriators would be able to pump a certain amount of water and begin a controlled overdraft of the basin to minimize basin losses. These 16,000 af were split between the various appropriators, with Beaumont Cherry Valley Water District allocated the largest percentage at 42.15 percent. The intent was to create a depression into which water from the San Timoteo wash would move into the Basin (controlled overdraft).

There is no documentation regarding how the 16,000 af was determined at the time, Blandon stated.

In response to a question from Chair Vela, Mr. Blandon explained that the amount of water moved into the depression from the San Timoteo wash has never been quantified, but through groundwater modeling, there are estimates.

The annual imported water deliveries began in 2006 when 3,500 af were spread and have continued over the years. The maximum was in 2017 when close to 50,000 af were spread, and cumulative, the contribution is 123,000 af with Beaumont Cherry Valley Water District having acquired and used 91 percent.

Water in storage consists of unused overlying production, surplus allocation, imported water, permanent transfers, and groundwater production, all of which have been documented, Blandon continued.

There was a significant rise in storage prior to 2013, then slowing. This is due to the controlled overdraft: whatever was not produced was stored. Although it was given to appropriators, this does not mean that water was created physically in the basin, but it gave the appropriators the right to produce and overdraft up to that amount, Blandon explained.

The City of Banning has the largest amount in its storage account with close to 51,000 af, followed by Beaumont Cherry Valley Water District with 40,000 af, South Mesa Water Company with 10,000, and Yucaipa Valley Water District with 16,000, San Gorgonio Pass Water Agency with 500 af. The Morongo Band and the City of Beaumont also have accounts but neither have water in storage. A total of 290,000 af of storage has been allocated to the storage accounts since the inception of the judgment.

Mr. Thomas Harder continued the presentation. He reviewed change in groundwater levels over time and explained the hydrological conditions on the basin map.

In the fall of 2013, 10 years into the judgment, the northeast part of the Basin including the Noble Creek spreading basins show the recharge beginning in 2006. In 2003, water from the San Timoteo wash was already flowing into the west end basin, he said. The idea was to capture more of that water, Harder surmised.

The contrasted changes shown on the 2020 contour map include areas of mounding and pumping depressions, and trends of groundwater levels. Much of the decline is on the west and northwest sides, and on the east side, levels are rising while the south side is staying the same or having some drop.

The change in storage from 2003 to 2013 basin-wide was approximately negative 64,000 af. Between 2013 and 2020, it was 22,000 af to the positive, Harder noted, mainly due to managed recharge in the east part of the basin. Of the negative 42,000 af change in the basin from 2003 to 2020, all of it is occurring in the west side of the basin, Harder stated. Due to overdraft, storage space has been created on the west side, and it is time to put some water in the ground there, Harder recommended.

The overall change in storage from 2003 to 2020 was between negative 42,000 af and negative 59,000 af basin-wide, Harder continued. For comparison, he said, the total groundwater (usable amount of water) in storage in the basin is approximately 1.4 million af, which is a little higher than the previous estimate by Wildermuth.

Member Jaggers pointed to return flow and suggested that 2,500 af may be in transit to the basin. He also noted use for grading water and new development. Chair Vela noted these figures are through 2020.

Member Zoba indicated that the production of Yucaipa Valley Water District and South Mesa Water Company have not changed much over the period. He pointed to the water levels in the Well 29 area and asked if recharge was working. Mr. Harder noted that the west side is much more sensitive to precipitation trends and since 2011, may have been influenced by drought. Based on this trend, and pumping in Calimesa, the water level will decrease on the west side, Zoba posited; Mr. Harder confirmed that would be the case without recharge.

Member Zoba asked about the amount of water accessible by wells today. Mr. Harder said that based on current well settings, the 1.4 million af is not entirely accessible, and noted that pumping past the usable water at the San Timoteo formation (model layer 1) would likely create some major negative effects. Zoba requested determination of the accessible water level above the bowls; Harder said it would be possible to determine using data from the appropriators' pump settings.

Jaggers pointed out some active management activity but posited that the drought has had some significant effects. The 10-year safe yield update will inform that, Harder noted.

Harder continued detailing the physical change in storage. Supplemental recharge has been a major benefit to the basin to stabilize the storage change, he stated, but there is a balance of recharge issue. Pumping in the basin has not changed very much, still approximately 15,000 af per year. Zoba acknowledged the consistency of pumping and noted that the change in storage plummeted. Harder said that was because there was no recharge occurring between 2003 and 2006, then took a while to ramp up, and it takes a while for that water to manifest in groundwater levels.

In terms of management of the basin, and the negative change in storage at 60,000 af, Zoba noted that to return to the zero point would cost around \$20 million and there is probably not enough State Project Water. Harder agreed and indicated that the Committee must make the decision as to significance in the overdraft, i.e., are there undesirable results due to the overdraft, should the overage be partially filled, or other option. He noted that there may be legal obligations to fill the hole. He discussed options from a physical operational standpoint and suggested there is more analysis to be done.

Jaggers pointed to a more sophisticated model to examine data such as return flows and precipitation. He discussed the basin imbalance and needs to be determined. Harder noted the language in the judgment regarding waste of water is subjective. Chair Vela added that it appears there needs to be some true up of the storage accounts related to the basin losses and previous analysis.

Harder showed a graph depicting increases in storge accounts, with physical groundwater storage decreasing. In 2013, there was approximately 130,000 af (close to the 160,000), but by 2020 it was 180,000 af. There are additional things not being accounted for, Harder

explained, such as precipitation and drought. He noted that unpumped overlie water is being added to accounts although the safe yield is lower than that would indicate, and there are losses occurring in the basin, which increase with additional recharge. Those components can be identified, then the Committee can decide what to do, he stated.

In response to Chair Vela, Mr. Harder indicated that, ideally, the storage accounts would be tied to physical water, but that is not the case. The 160,000 was more of a controlled overdraft deficit. He pointed to the comparison of the storage accounts with the physical storage and indicated that something needs to be done about it. Jaggers described a component in the judgment that may have led to the 160,000 number.

Member Zoba pointed to the original concept of marketing the basin for water storage, a scheme that has since fallen apart. He suggested some change in the layout of the Comparison of Appropriator Storage Accounts and Storage Change Estimates chart and said the issue pertains to management of the basin and action to maintain the status quo.

The seriousness of the issue is a judgment call, Harder noted. Impact would be felt after pumping for three or four years, he said. Zoba added that logistically, there would be no way to refill the basin.

Harder suggested workshops to a) address the balance of recharge and discharge issue, b) look at the significance and what is to be done about it, c) examine losses. Some discussion ensued and support for the workshops was expressed.

Vela pointed to geology and suggested that impacts will not be the same across the basin. Harder emphasized support of each other's projects to bring in new water and noted that water in addition to return flow will be needed to turn around the decline.

Mr. Blandon returned to the graph. He explained that legally the Beaumont Basin is one basin, but hydrologically, the basin behaves as two separate basins. The west side has no recharge, and the east side has benefitted from all the recharge over the years, he explained. The engineers were tasked with creating a framework and identified preliminary issues: the clearly demonstrated recharge imbalance between the eastern and western portions of the basin; the storage account balances appear in conflict with evidence of the physical storage in the basin; and the current storage accounting does not account for storage losses. These need to be addressed sooner rather than later, Blandon advised.

As of now, storage accounts continue to accumulate without consideration of losses – nothing is subtracted from the account, but

potentially there could be significant losses of 15 to 20 percent, Blandon stated, and pointed out that the cost of imported water is hundreds of dollars per acre-foot. There is an imbalance, and potential for additional losses which are not being accounted for at this time, he warned.

To address the imbalance, recharge facilities need to be developed on the western portion of the basin, Blandon stated. The storage account balances are paper, rather than actuals, he said. He proposed as Task No. 2 of this Task Order, to conduct a series of workshops to begin discussion regarding what can or cannot be done, and to develop a policy to account for the storage losses.

To arrest the recharge imbalance and bring water to the western side of the basin, there is some potential for enhanced stormwater capture, spreading of imported water in existing and in new basins, and use of recycled water, Blandon offered. He detailed two areas for capture that have been identified, extension of the San Gorgonio pipeline to the State Water Project, and the location of the City of Beaumont wastewater treatment plant with the potential for recycled water. Groundwater modeling will need to be done, he advised.

Blandon suggested that workshop agenda items may include further articulation of the issues, preliminary identification and discussion of potential projects and management actions to arrest the issues including needs for individual appropriators, discussion of next steps to arrest the issues which may include further concepts, and outline of an implementation plan.

Blandon advised that the initial budget of \$10,000 for this task was underestimated and current expenditures are \$16,700, with the goal to provide a complete picture to the Committee.

In response to Member Zoba and Chair Vela, Mr. Harder further discussed safe yield. Zoba posited that a potential solution in order to keep the basin in balance, is to retain storage accounts, but limit the maximum production to the operating safe yield, to not damage anyone else. He pointed out that extraction of unused water rights results in depletion of the basin.

Jaggers suggested adding wells to the east side and moving water to the western portion of the basin, turning off the wells on the west. Long term goals would be to balance and manage the basin, and determine what water is in the return flow zone, he added.

Jaggers advocated for workshops and identified that the San Gorgonio Pass Water Agency has a hydrogeologist who may be helpful. He pointed to the cumulative storage credit of 117,553 af which is the volumetric availability across the basin, but Zoba noted that if all of that were

extracted, it must be subtracted from the already negative basin storage. There is no time to fill up the basin, Zoba posited. The basin will always be depleted, it needs to be determined who will be the most impacted by the dropped water levels, he noted.

The intent is to manage to keep the basin in balance to the best of the ability of the Watermaster and there will be give and take over time, Jaggers said. Who pays the price to establish the balance, Zoba continued. The transition has been made from depletion to filling to depletion, and this is a big deal, he said. He reminded the Committee that this group was established as a result of lawsuits regarding getting a fair share. The intent in 2004 was not to go negative, he stated, it was to check each other to assure all have a share of the basin and keep operating.

Jaggers pointed to the Urban Water Management Plan and indicated the goal is not to deplete the basin. Zoba suggested establishing a management objective in terms of change in storage and advocated scheduling the workshops quickly. Mr. Blandon proposed the first to be held in November.

Member Hart requested further definition of the workshops to make them fruitful and to assure that allocating additional budget is necessary. Mr. Blandon provided detail on the process and emphasized that much more work is needed. Discussion ensued regarding prioritizing topics for the workshops.

Mr. Zoba suggested a water sustainability consultant and will provide a sample RFP at the next meeting. Mr. Blandon suggested quantification of losses and impacts to storage accounts.

H. Consideration of Change Order No. 1 for Task Order No. 26 for the Development of a Framework to Address Storage Accounting Issues

Recommendation: That the Watermaster Committee consider approving Change Order No. 1 to Task Order No. 26 for the sum not to exceed \$20,000 and to direct the Treasurer to invoice specific Appropriators based on anticipated benefits.

Mr. Blandon reviewed the request for change order but noted that the workshops will delay the need for this work. The initial task was to develop a framework, which is what was presented in the last agenda item, he noted. This is to facilitate further analysis and work on the issue.

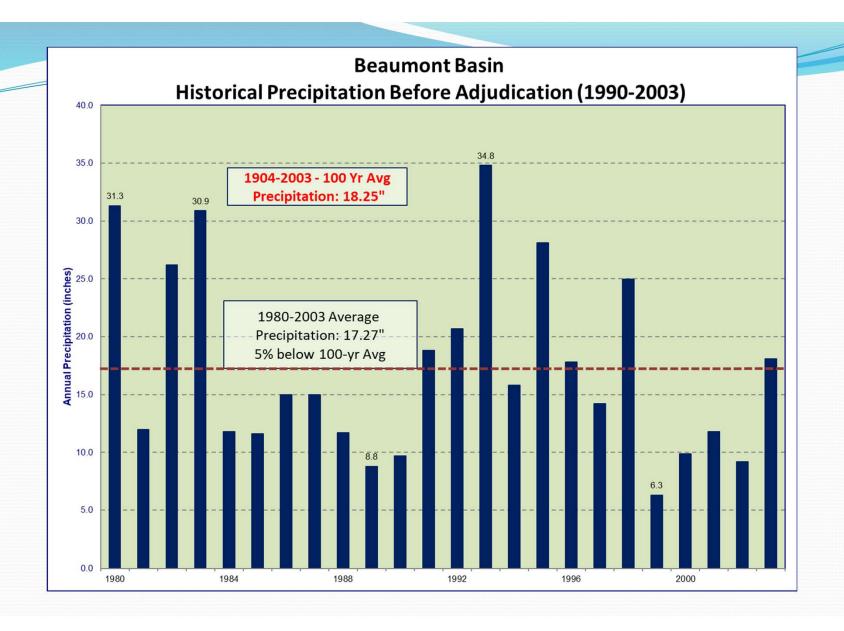
The Committee discussed needs and the potential for a workshop facilitator. Mr. Eckhart requested the ability for the San Gorgonio Pass

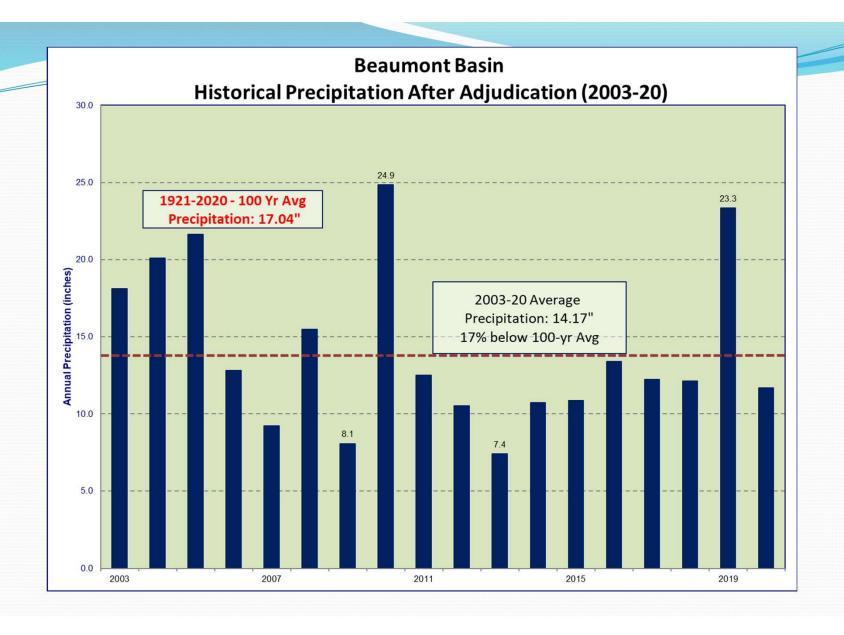
Storage Accounting Issues – Preliminary Framework

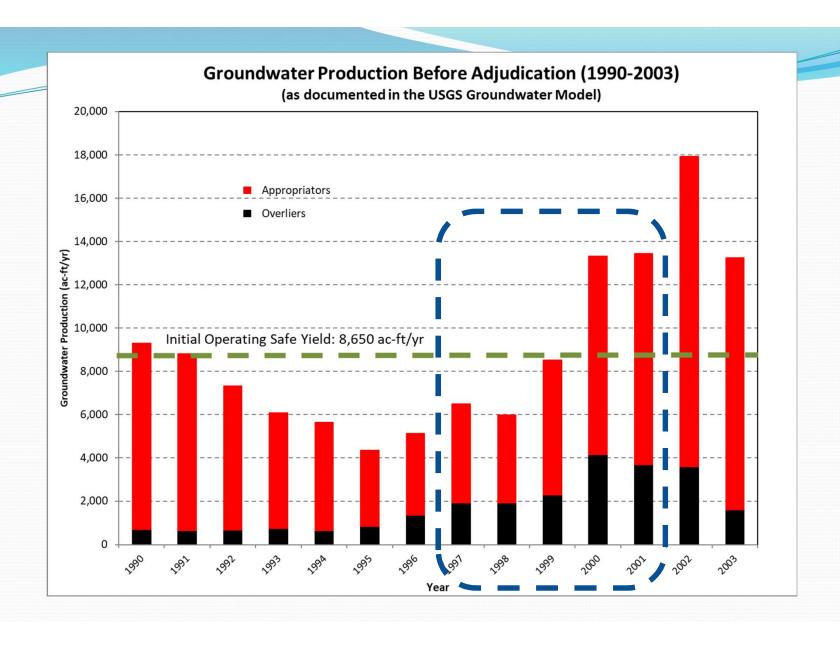
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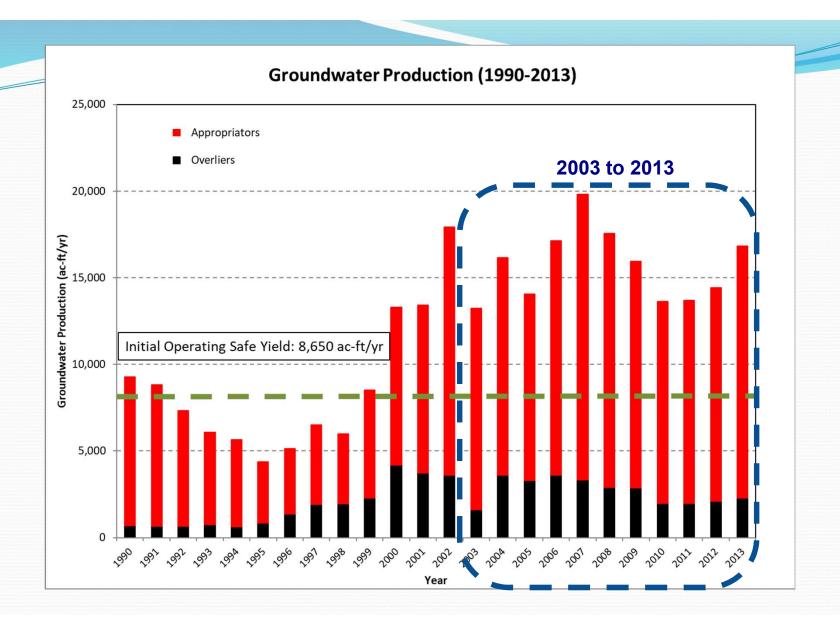
Documentation of Hydrologic Conditions

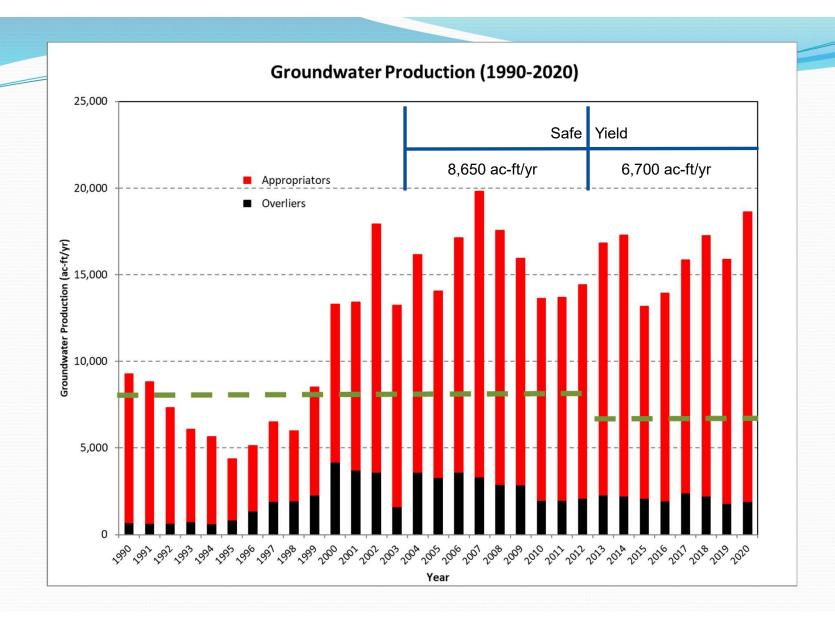
- Before Adjudication (2003)
- 2003 to 2013 (Initial Safe Yield)
- After 2013 (Current Safe Yield)

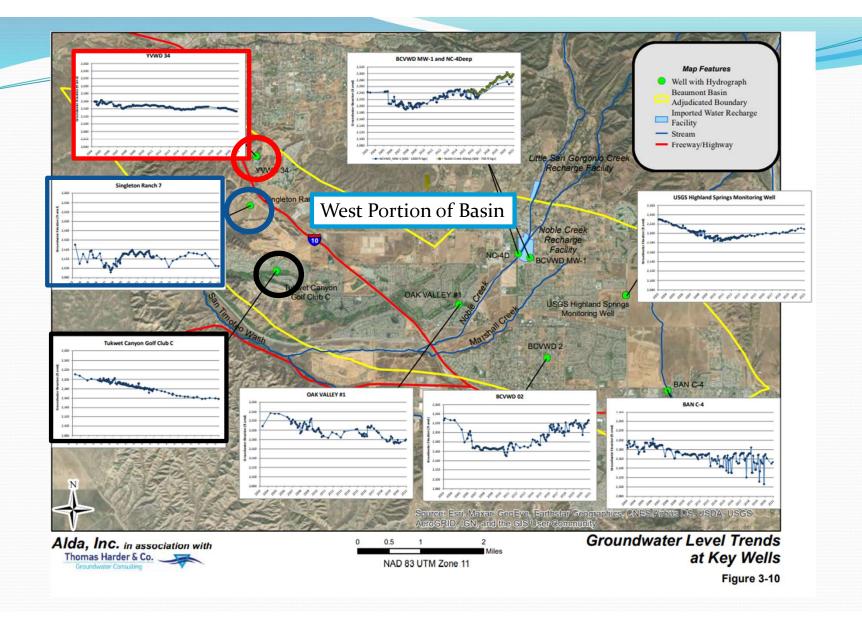




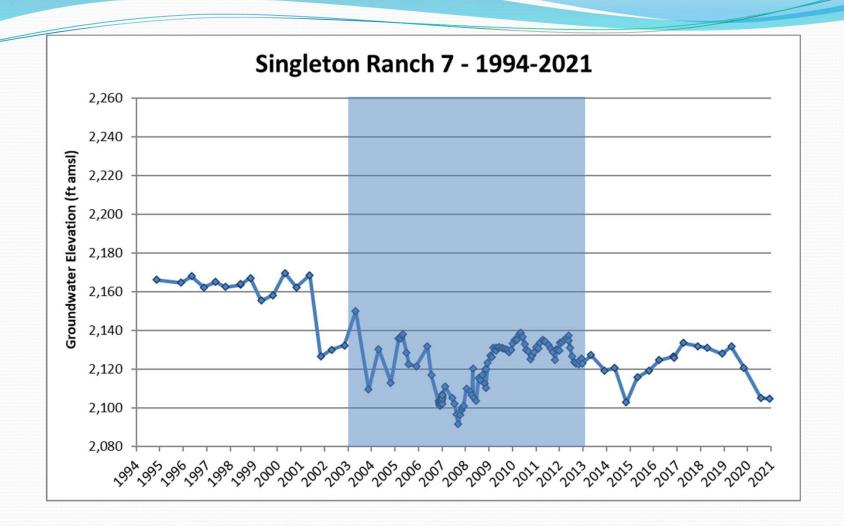


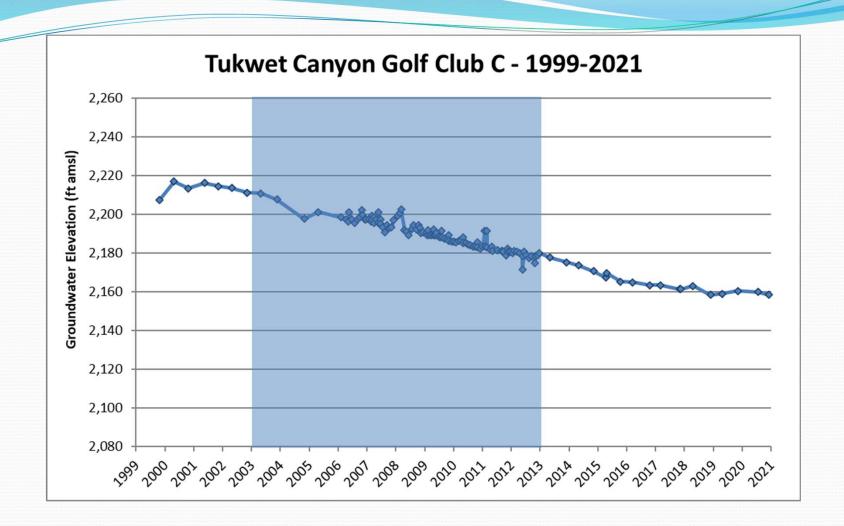


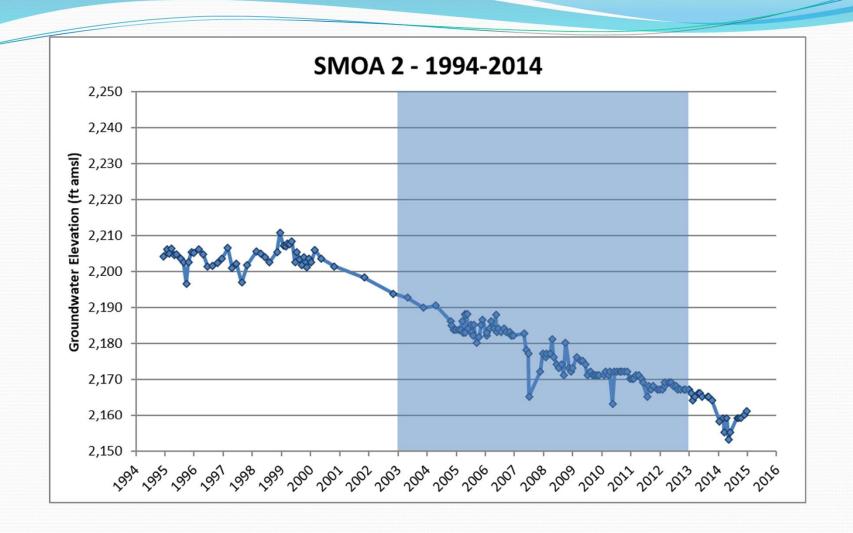


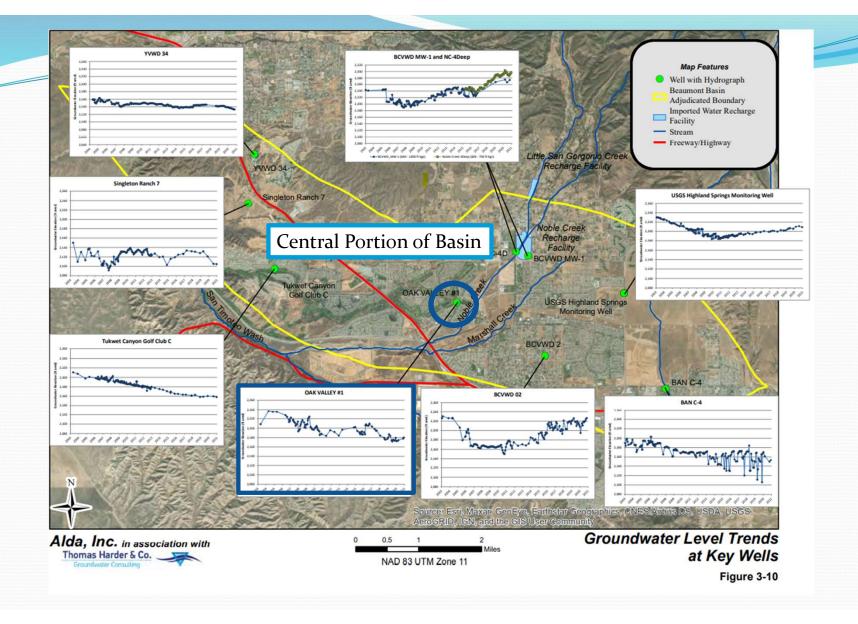


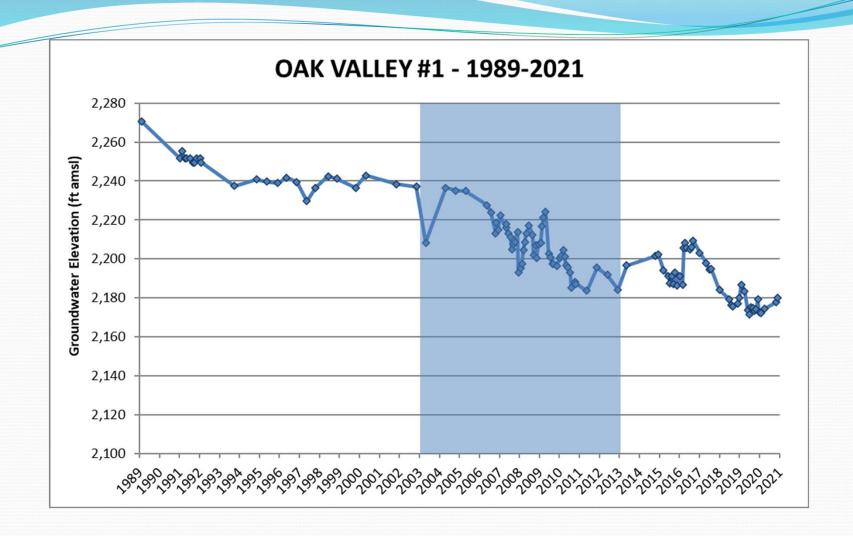


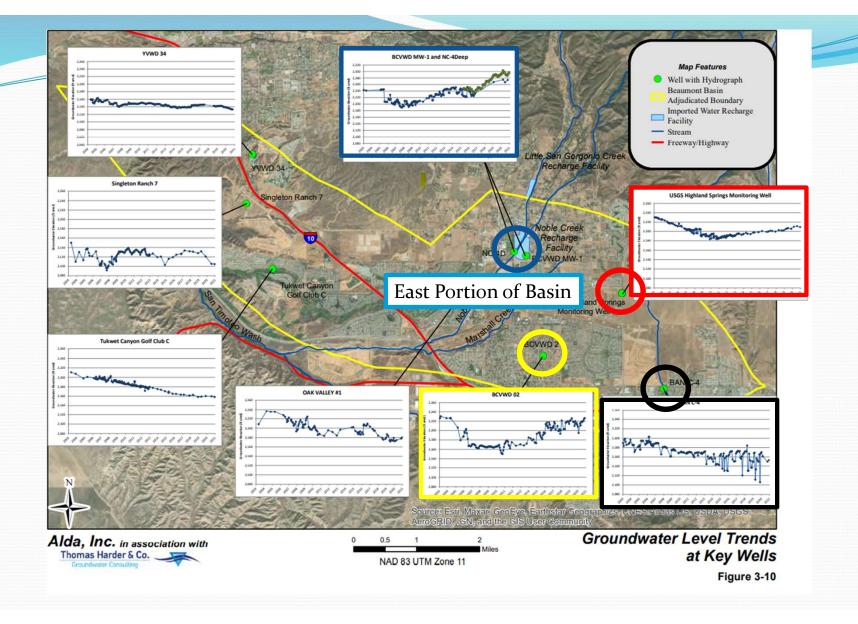


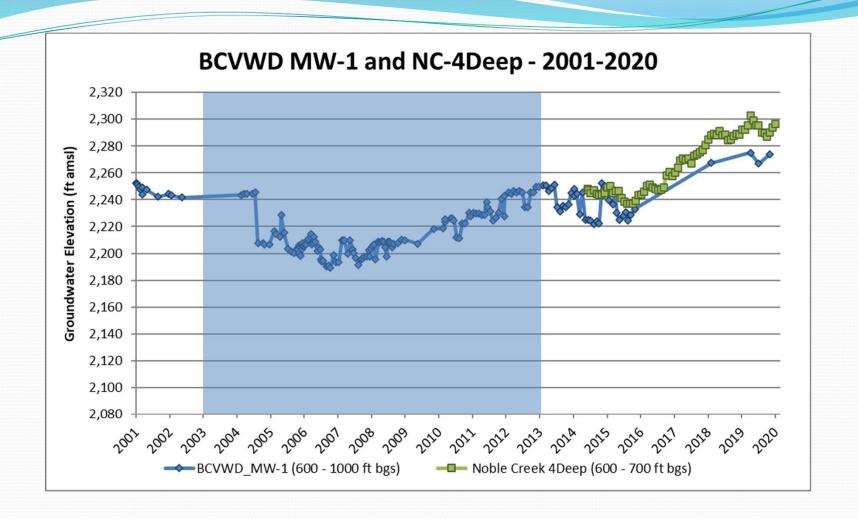


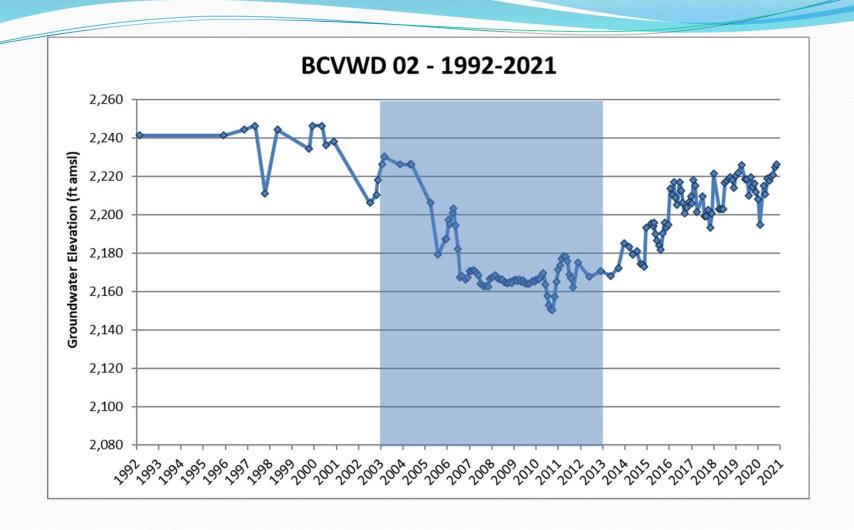


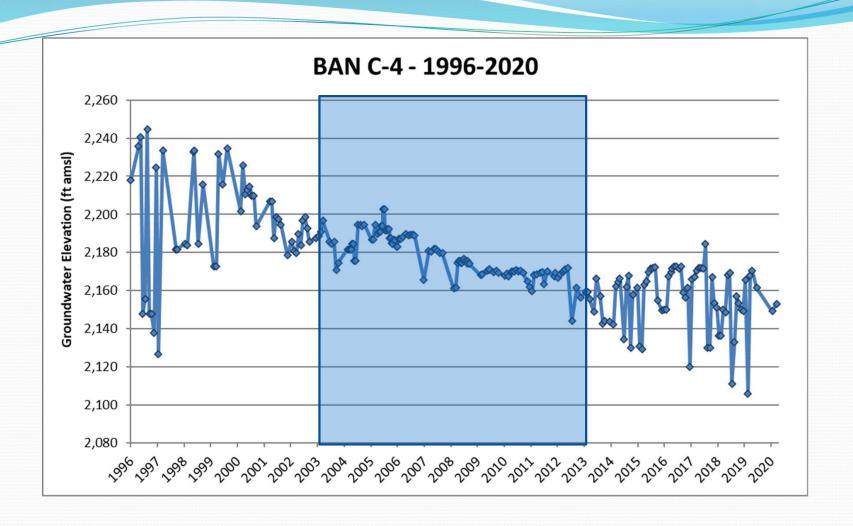


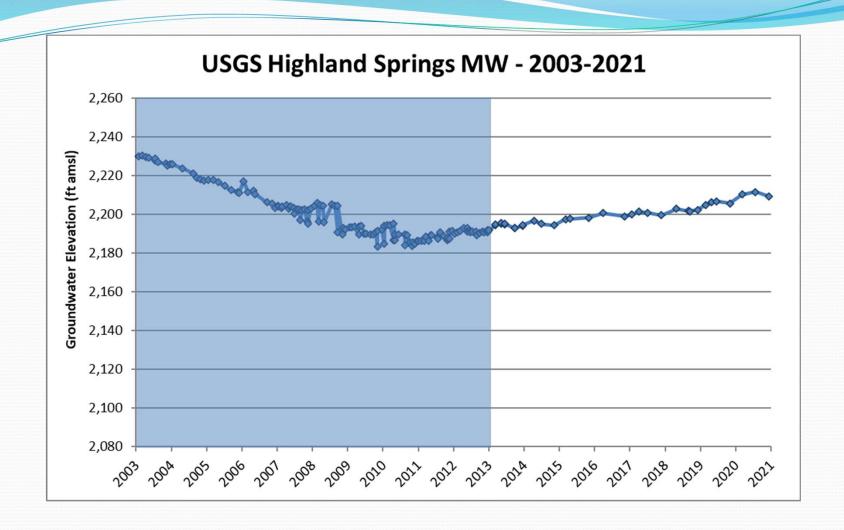






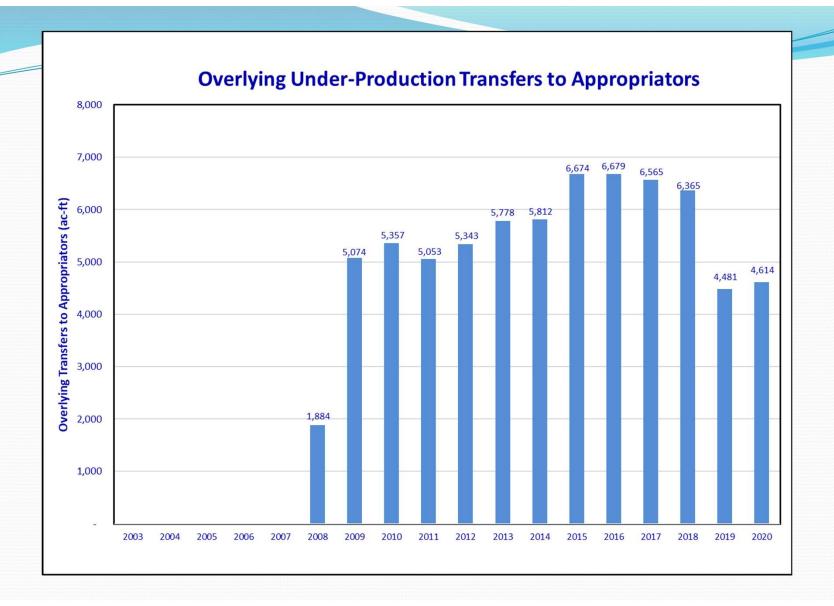


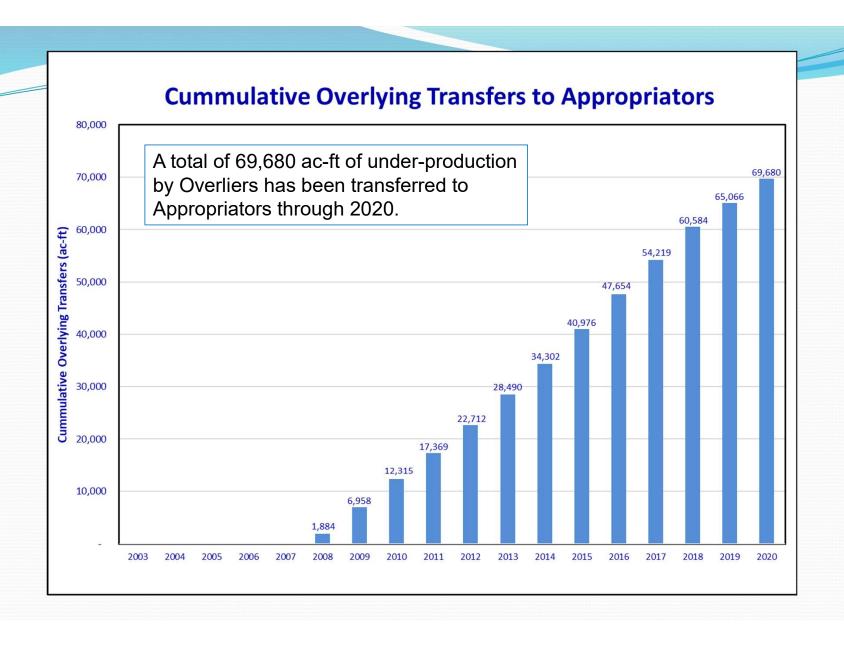




Components of Storage Accounts

- Additions
 - Unused Overlying Production (5 Yr Lag)
 - Temporary Surplus of 16,000 ac-ft/yr (2003-2013)
 - Imported Water Deliveries
 - Permanent Transfers to Appropriators (YVWD: 183.1 ac-ft/yr)
- Subtractions
 - Groundwater Production by Appropriators





Temporary Surplus (2003-13)

Defined in the Judgment as:

"The amount of groundwater that can be pumped annually in excess of the Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water"

Exhibit C of the Judgment identifies 16,000 ac-ft/yr

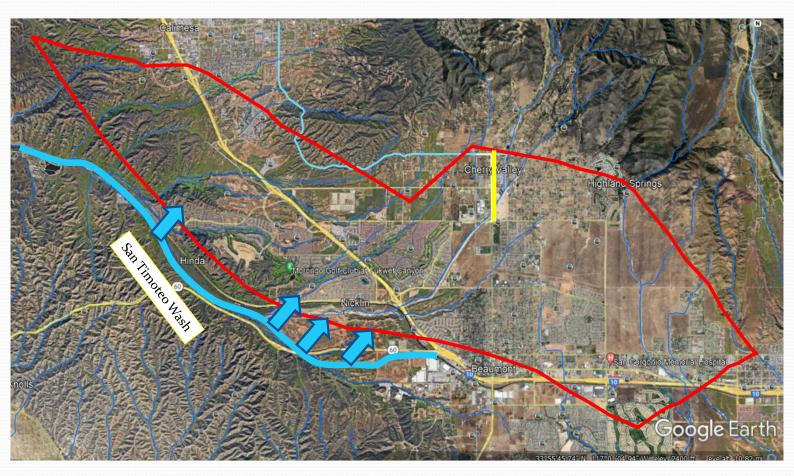
• City of Banning: 31.43% or 5,029 ac-ft/yr

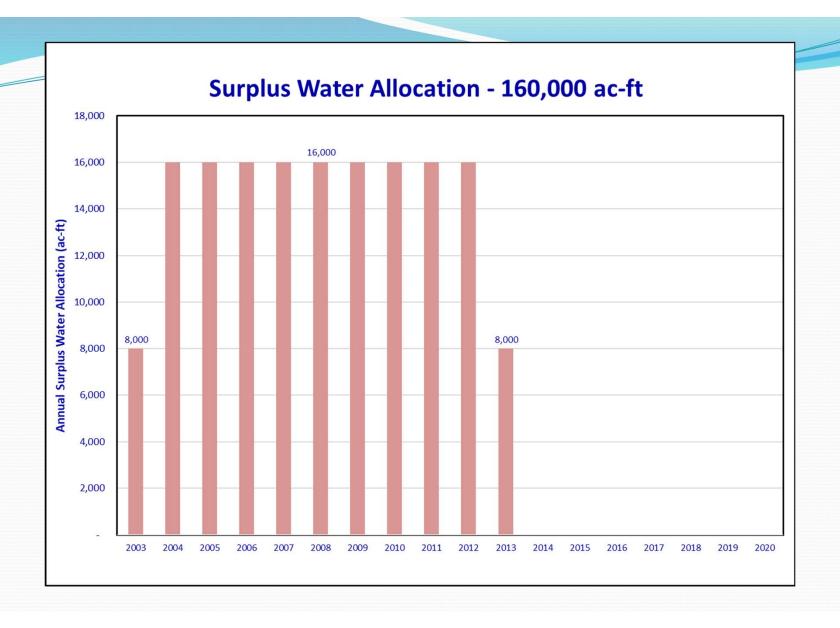
• BCVWD: 42.51% or 6,802 ac-ft/yr

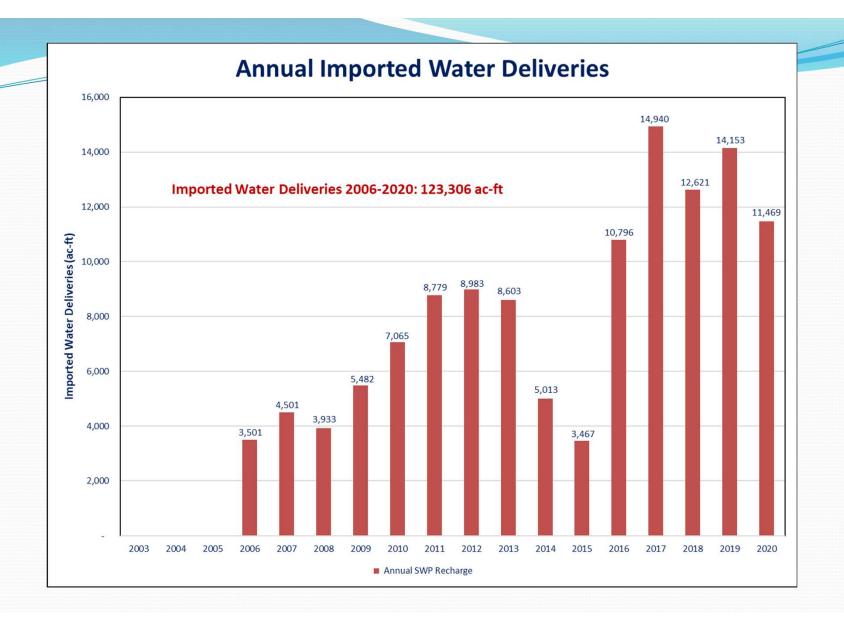
• SMWC: 12.48% or 1,996 ac-ft/yr

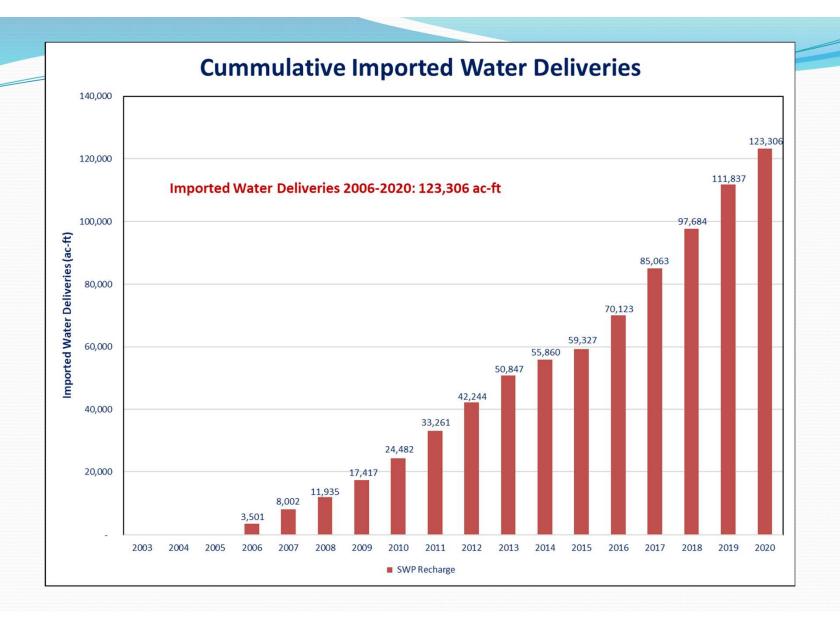
• YVWC: 13.58% or 2,173 ac-ft/yr

Controlled Overdraft – 160,000 ac-ft







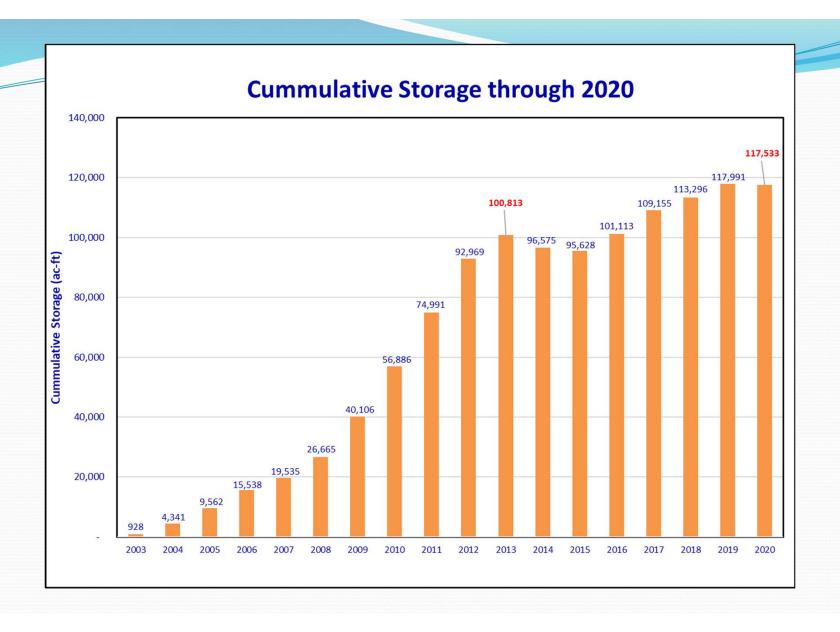


Storage Accounts in the Beaumont Basin

Water in = Storage

- + Unused Overlying Production
- + Surplus Allocation
- + Imported Water
- + Permanent Transfers

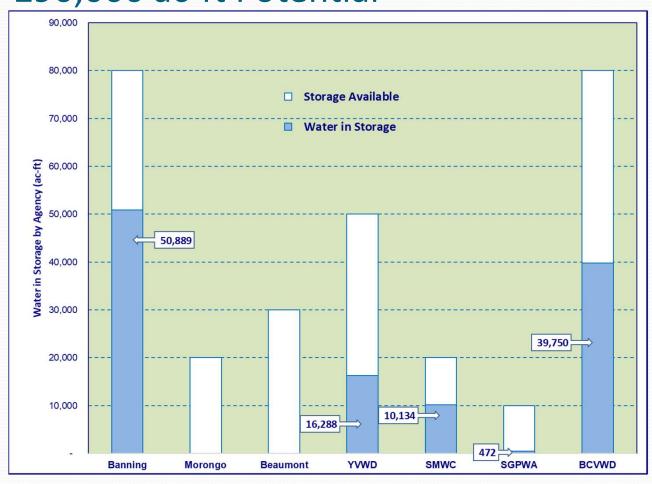
- Groundwater Production



Current Storage Accounts

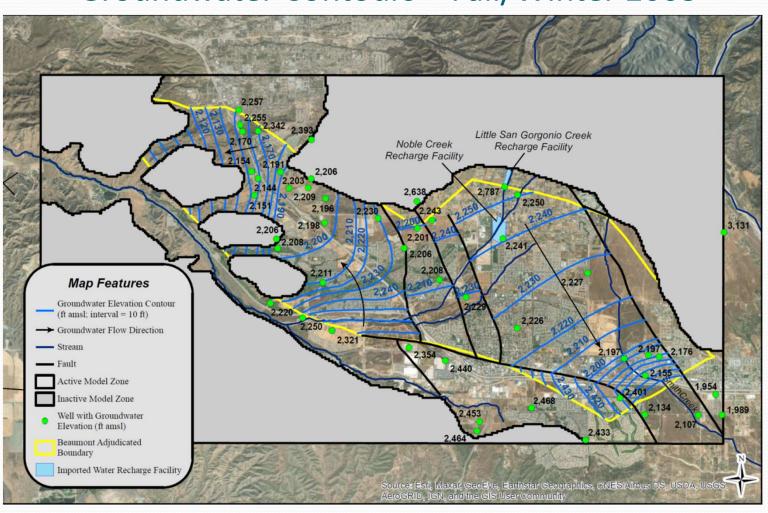
Storage Accounts	Storage as of 12/31/2020
City of Banning	50,889 ac-ft
Beaumont Cherry Valley Water District	39,750 ac-ft
South Mesa Water Company	10,134 ac-ft
Yucaipa Valley Water District	16,288 ac-ft
San Gorgonio Pass Water Agency	472 ac-ft
City of Beaumont	o ac-ft
Morongo Band of Mission Indians	o ac-ft
TOTAL	117,533 ac-ft

Water in Storage Accounts at 40.5% of total of 290,000 ac-ft Potential

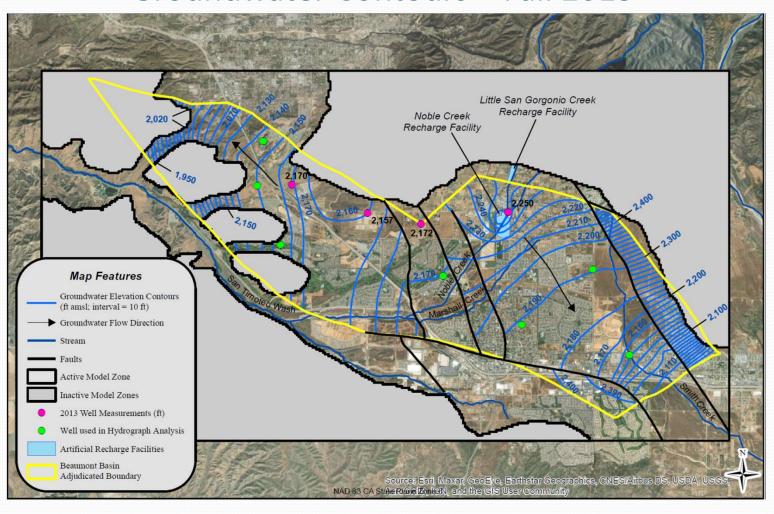


Comparison of Storage Account Balances with Physical Storage in the Basin

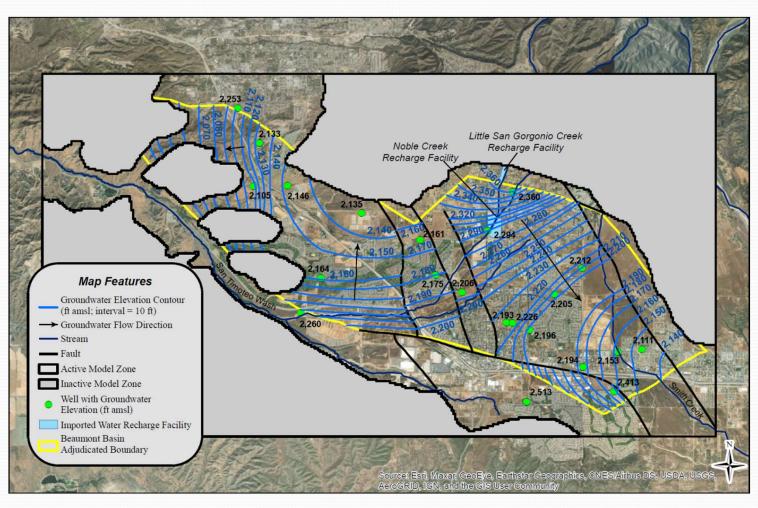
Groundwater Contours – Fall/Winter 2003



Groundwater Contours - Fall 2013



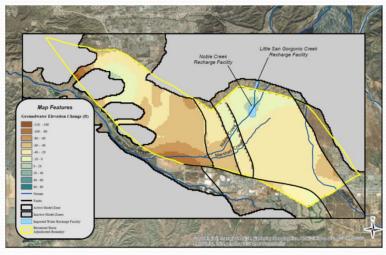
Groundwater Contours - Fall 2020



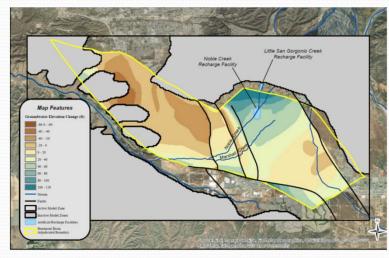
Change in Groundwater Storage

2003 - 2013

2013 - 2020

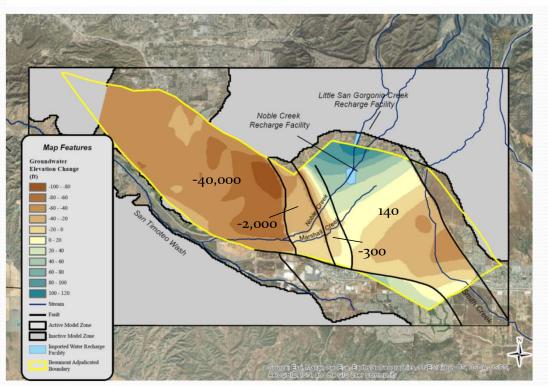


-64,000 Acre-ft



22,000 Acre-ft

Change in Groundwater Storage 2003 - 2020

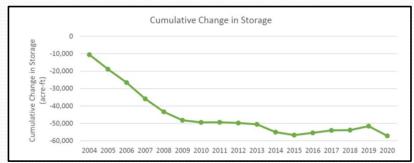


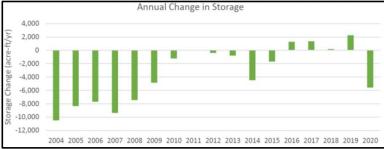
-42,000 Acre-ft Groundwater Levels

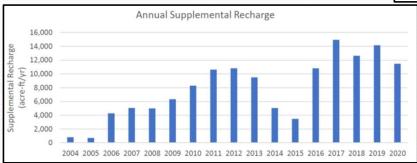
-59,000 Acre-ft Groundwater Flow Model

Total Groundwater in Storage ~1,400,000 Acre-ft

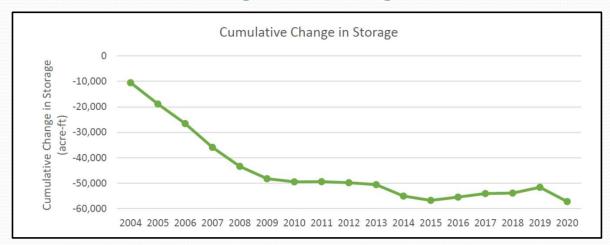
Basin-wide Change in Storage and Supplemental Recharge

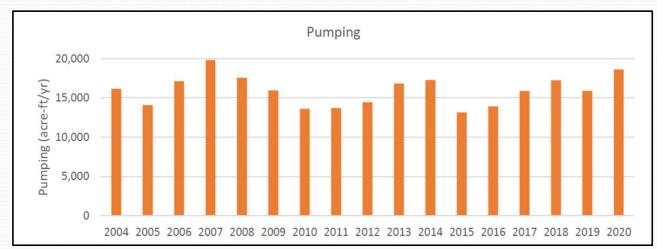




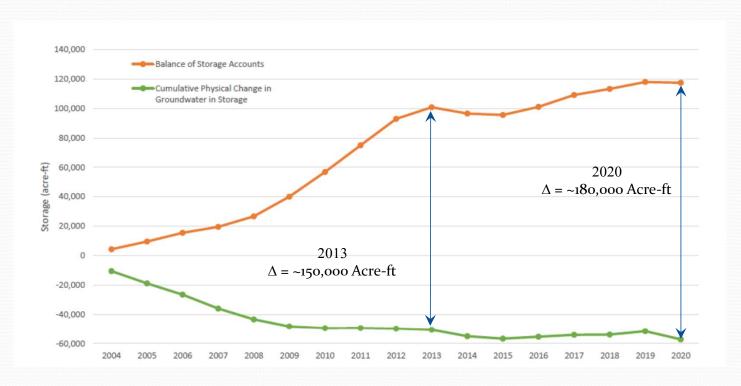


Basin-wide Change in Storage and Groundwater Pumping

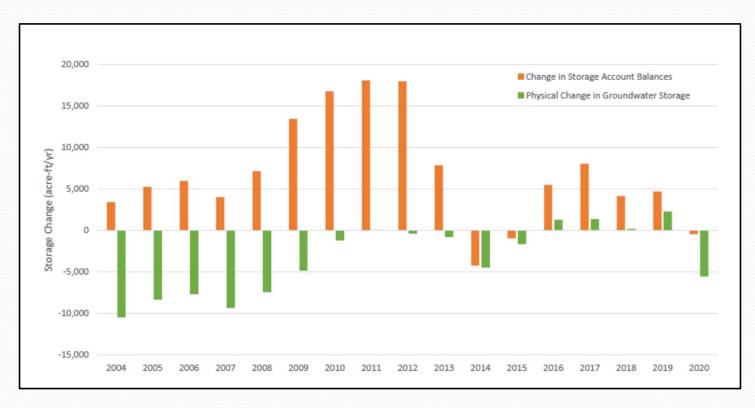




Comparison of Appropriator Storage Accounts and Physical Storage Change Estimates



Comparison of Annual Changes in Appropriator Storage Accounts and Physical Storage



Storage Framework – Preliminary Issues

- A. Recharge Imbalance Between the Eastern and Western Portions of the Basin
- B. Storage Account Balances Appear in Conflict with Evidence of the Physical Storage of the Basin
- C. Current Storage Accounting Does Not Account for Losses

Storage Framework – NEXT STEPS

- A. Recharge Imbalance
 - Develop recharge facilities on western portion of the basin

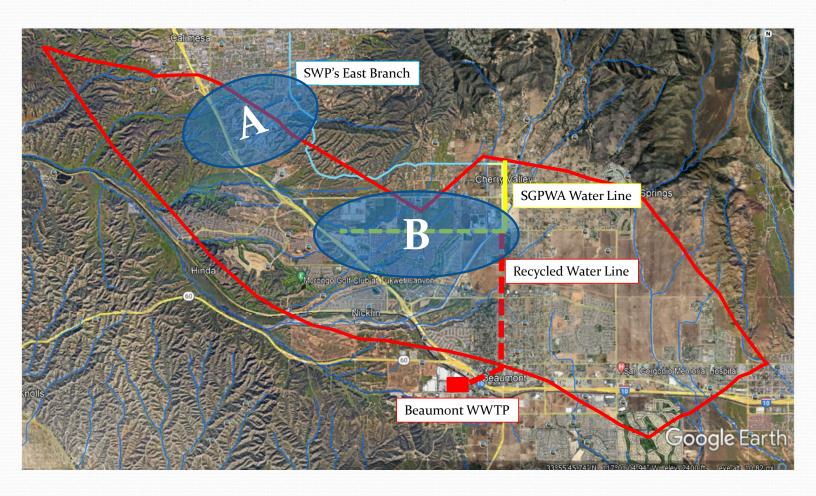
- B. Storage Account Balances Paper vs. Actual
 - □ Conduct workshop to begin discussing the implications of this imbalance

- C. Current Storage Accounting Does Not Account for Losses
 - Develop policy

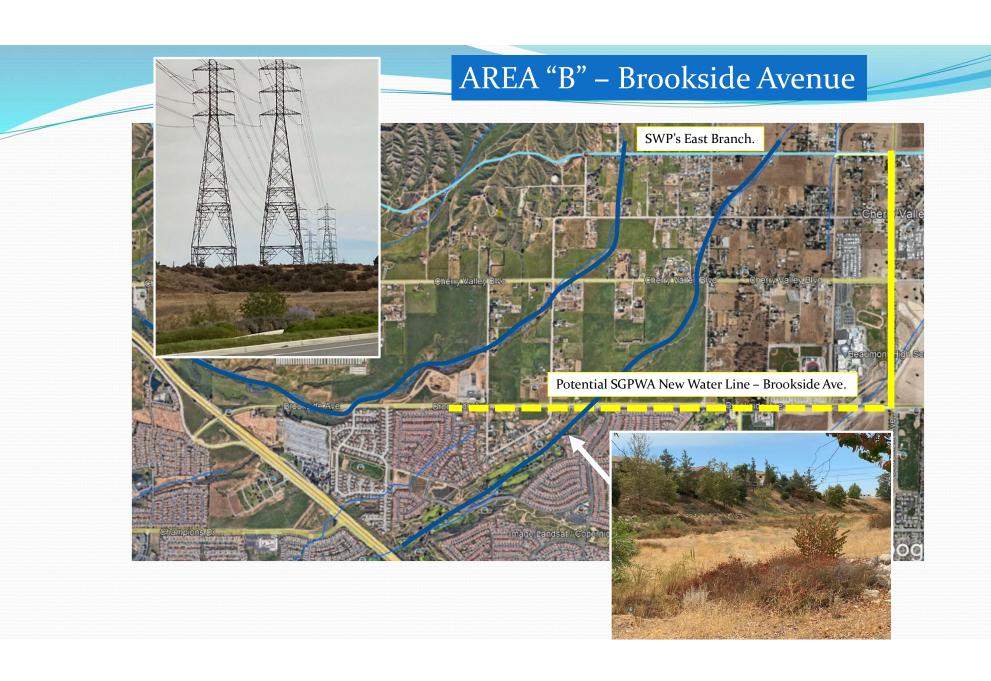
Recharge Imbalance

- 1) Potential for enhanced stormwater capture
- 2) Spreading of imported water
 - A. Existing Basins
 - B. New Basis
- 3) Use of recycled water

Potential Projects to Address Storage Imbalance







Assessing Potential Projects Planning Level

- ✓ Identification of Facilities
- Estimate of Quantities
- Capital Cost
- ✓ Groundwater Modeling to Assess Impact
- Environmental Issues
- ✓ Other Limitations
- Comparison of Alternatives

A Workshop to Discuss the Preliminary Issues Identified and Develop a Plan to Address Them is Recommended

- Potential Agenda may Include:
 - Further Articulation of the Issues
 - Preliminary Identification and Discussion of Potential Projects and Management Actions to Address the Issues Including Needs of Individual Appropriators
 - A Discussion of Next Steps to Address the Issues (Which Could Include)
 - Identification of Project Concepts
 - Analysis of Projects and Management Concepts
 - Outline of Implementation Plan

A. Storage Accounting Issues

Recommendation: Information only. No recommendation.

Mr. Blandon reviewed issues raised and information discussed in October and reminded the Committee that storage accounts collectively contain approximately 117,000 acre-feet (af). However, Blandon continued, the changing groundwater storage that Mr. Harder investigated indicates that the change between 2003 and 2020 could be anywhere between 42,000 af and 59,000 af depending on the way that the water levels are interpreted by hand or through the flow model. Mr. Harder also concluded that there is approximately 1.4 million af of water in the basin and noted that most of the depletion (40,000 af) was on the west side of the basin, Blandon said.

Preliminary issues include the recharge imbalance between the eastern and western portions of the basin, the storage account balances appear to be in conflict with evidence of the physical storage of the basin, and current storage accounting does not account for losses, Blandon reminded. He said he reviewed the documentation at the time of the judgment and advised there was no documentation as to how the determination of the safe yield was made, but newly available court documents related to the August 2021 ruling provide clarification.

The tentative ruling settles the water rights and storage issues in the basin for supplemental water as well as unused surplus water; the judgment does not preclude the storage of unused surplus water; and there is nothing improper about carryover surplus water, Blandon explained. All water in the storage accounts is valid and available for use, he said, and the basin must be managed accordingly.

Temporary Surplus is defined in the judgment as, "the amount of groundwater that can be pumped annually in excess of the Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water," Blandon read. He advised that the intent was to pump up to 160,000 af from the basin to create space to bring more imported water or to produce additional water from the basin, and the judgment defines 16,000 af per year as percentages and amounts distributed to the four water agencies. Blandon pointed to the storage account amounts as of the end of 2020, totaling 117,533 af.

Blandon reviewed tables comparing the agencies' temporary surplus allocations and all extraction rights to actual 2003-2020 production. The appropriators have the right to produce another 117,533 af up to the 160,000 af initially anticipated, he stated. To be determined over the next few meetings will be how to manage the basin in a way that does not negatively affect some producers, consideration of the issues of

spreading imported water on the west side of the basin and ascertaining that appropriator can safely store and extract their production rights, he stated.

To address the recharge imbalance, Blandon recommended capture of additional stormwater, spreading of additional imported water in existing and new basins, and use of recycled water. He pointed to potential project areas and offered suggestions.

Member Jaggers noted that the results noticed are reasonable with what is set forth in the judgment for extraction. He recalled discussion at the prior meeting about precipitation and the reduced average over the last 10 years and pointed to impact on the basin. He indicated that BCVWD could assist with basin management from an operational perspective. He said he calculated that basin losses could be in the range of 10,000 to 20,000 af and pointed to continued drought.

Chair Vela noted that it will get to a point where agencies will have to rely on the surplus water, and basin management practices and implementation to ensure the basin is in good condition should be discussed, along with a policy on storage losses.

Member Hart suggested a workshop to identify mission, vision, and goals and how to proceed as to the best interests of the sustainability of the basin.

Chair Vela invited public comment. There was none.

B. Use of On-Call Task Order No. 8 and 25 to Provide Engineering Services related to evaluation of Storage Issues in the Beaumont Groundwater Basin

Recommendation: That the Beaumont Basin Watermaster Committee approves ALDA Inc. / TH&Co. to use available funds in On-Call Task Order No. 8 and Task Order No. 25 to continue providing technical support to Watermaster on issues related to the storage evaluation and management of the groundwater basin

Mr. Blandon explained that additional work was discussed at the October meeting but there is currently no budget approved for continuing activities. He shared the current budget remaining on Task Orders 8 and 25. After Committee discussion of upcoming work, continuing task orders, and the Request for Proposal process, Legal counsel Thierry Montoya suggested bringing back a request for services and a specific contract. A special meeting and a workshop will be scheduled in January.

Chair Vela tabled the item.

C. Discussion Regarding Amendment of Engineering Services Contract with ALDA Inc. for Calendar Year 2022

Recommendation: That the Watermaster Committee approves the contract extension with ALDA Inc. through December 31, 2022

Mr. Blandon provided history of the Agreement for Engineering Services, originally signed on May 10, 2012, and extended through December 31, 2021. He shared the proposed billing rates for ALDA Inc. and Thomas Harder & Company and reminded the Committee that the rates had not changed over the last five-year period.

Mr. Blandon advised that most of the work for the task orders takes place in the first three months of the year as the annual report and engineering analysis of the basin is prepared. He recommended extension of the contract through December 31, 2022, at the listed 2022 rates, or a five-year extension with rates updated annually.

Member Hart pointed to the active task order and recommended extension of the existing contract until a procurement policy is established. In response to a question from Chair Vela, Mr. Montoya recommended determining what specific services are sought as opposed to extension of contracts and task orders remaining open.

Mr. Jaggers pointed to production of the annual report, ongoing tasks, and need to create a vehicle to move forward and complete the 2021 work. Mr. Blandon detailed the annual report process and Mr. Jaggers added the required report submission dates.

Following discussion of upcoming work and the RFP process, the majority of the Committee concurred on extension of the contract. Mr. Jaggers pointed out that an amendment will be required for signature, but the document is not yet herewith. Mr. Montoya indicated that he would produce an amendment to come back for Committee approval.

It was moved by Member Ares and seconded by Chair Vela to approve the contract extension with ALDA Inc. through December 31, 2022. The motion was approved by the following vote:

AYES:

Jaggers, Jorritsma, Vela, Ares

NOES:

Hart

ABSTAIN:

None

ABSENT:

None

STATUS:

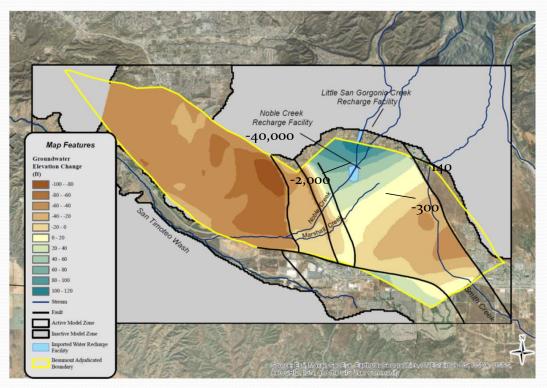
Motion Approved

At the October meeting, we

- Documented historical rainfall, production, spreading, transfers
- Illustrated historical water levels and trends
- Discussed the various components of storage and individual storage accounts
- Calculated change in storage between 2003 and 2020 and discussed the imbalance between the west and east sides of the basin

Storage Accounts

Collectively: 117,533 ac-ft



Change in Groundwater Storage 2003 - 2020

-42,000 ac-ft **Groundwater Levels**

-59,000 ac-ft **Groundwater Flow** Model

Total Groundwater in Storage ~1,400,000 ac-ft

Storage Framework – Preliminary Issues Oct 2021 Meeting

- A. Recharge Imbalance Between the Eastern and Western Portions of the Basin
- B. Storage Account Balances Appear in Conflict with Evidence of the Physical Storage of the Basin
- C. Current Storage Accounting Does Not Account for Losses

Decided to review the history

No documentation of 8650 ac-ft Safe Yield -

Superior Court of California, County of Riverside – Tentative Ruling – August 2021

- Motions by YVWD to:
 - 1.- Amend the BBWM's 2019 Annual Report
 - 2.- Rescind the Beaumont Basin Watermaster Rule 7.3
- Both motions were denied
- This Tentative Ruling settles the water rights and storage issues in the basin for supplemental water as well as unused surplus water
 - Judgement does not preclude the storage of unused surplus water
 - There is nothing per se improper about carry over surplus water

Temporary Surplus (2003-13)

Defined in the Judgment as:

"The amount of groundwater that can be pumped annually in excess of the Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water"

Exhibit C of the Judgment identifies 16,000 ac-ft/yr

• City of Banning: 31.43% or 5,029 ac-ft/yr

• BCVWD: 42.51% or 6,802 ac-ft/yr

• SMWC: 12.48% or 1,996 ac-ft/yr

• YVWC: 13.58% or 2,173 ac-ft/yr

Current Storage Accounts

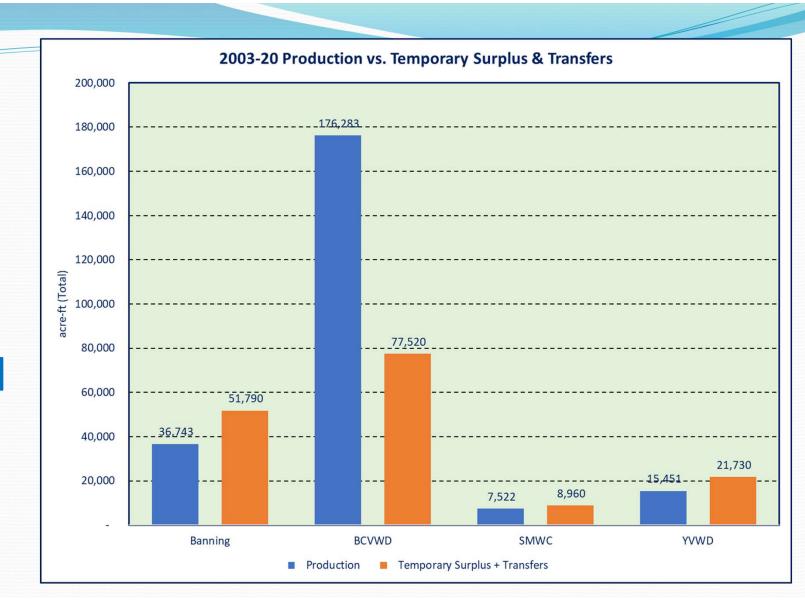
Storage Accounts	Storage as of 12/31/2020	
City of Banning	50,889 ac-ft	
Beaumont Cherry Valley Water District	39,750 ac-ft	
South Mesa Water Company	10,134 ac-ft	
Yucaipa Valley Water District	16,288 ac-ft	
San Gorgonio Pass Water Agency	472 ac-ft	
City of Beaumont	o ac-ft	
Morongo Band of Mission Indians	o ac-ft	
TOTAL	117,533 ac-ft	

2003-20 Calendar Year Temporary Surplus and Transfers vs. Production

Agency	Temporary Surplus Allocation	Transfers Between Appropriators	Temporary Surplus + Transfers	2003-20 CY Production
City of Banning	50,290	1,500	51,790	36,743
BCVWD	68,020	9,500	77,520	176,283
SMWC	19,960	-11,000	8,960	7,522
YVWD	21,730	O	21,730	15,451

Note: Numbers do not include imported water spreading and overlying parcels conversion.

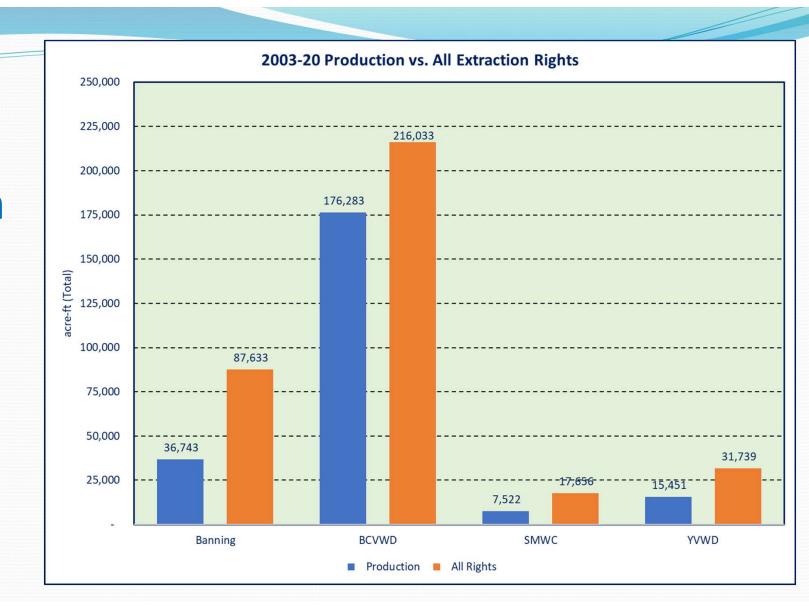
2003-20
Production
vs.
Temporary
Surplus and
Transfers



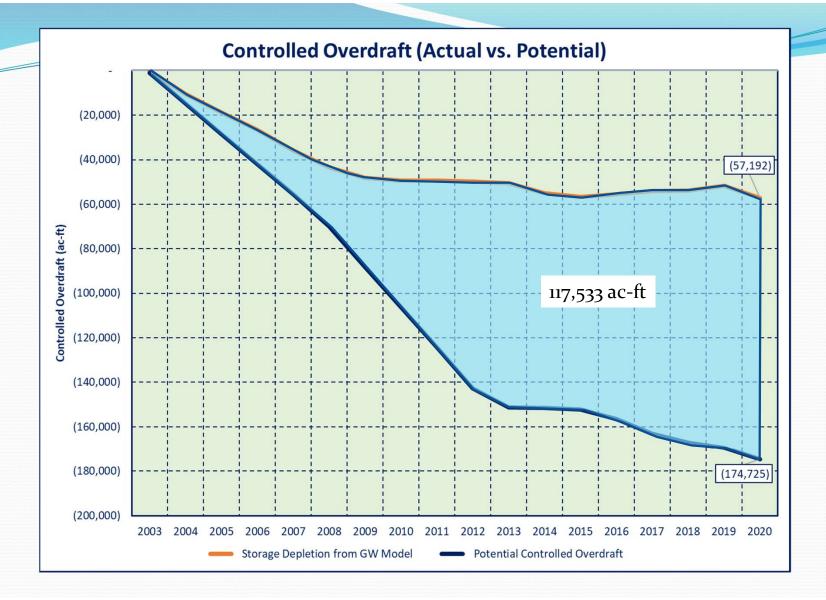
2003-20
Production
vs.
All
Extraction
Rights

Agency	2003-20 Production	All Extraction Rights	Difference
City of Banning	36,743	87,633	50,889
BCVWD	176,283	216,033	39,750
SMWC	7,522	17,656	10,134
YVWD	15,451	31,739	16,288
SGPWA	О	472	472
Total	236,000	353,533	117,533

2003-20
Production
vs.
All
Extraction
Rights



How are going to manage the basin, bring it back to zero or manage the overdraft to 160,000 acft or something in between.



Next Steps

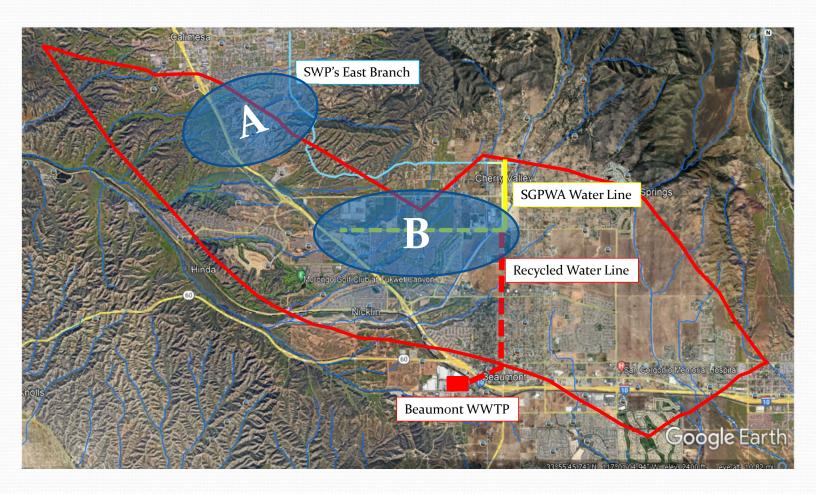
 Manage the Beaumont Groundwater Basin to make sure Appropriators can safely store and extract their production rights

Develop policy to address Storage Accounting Losses

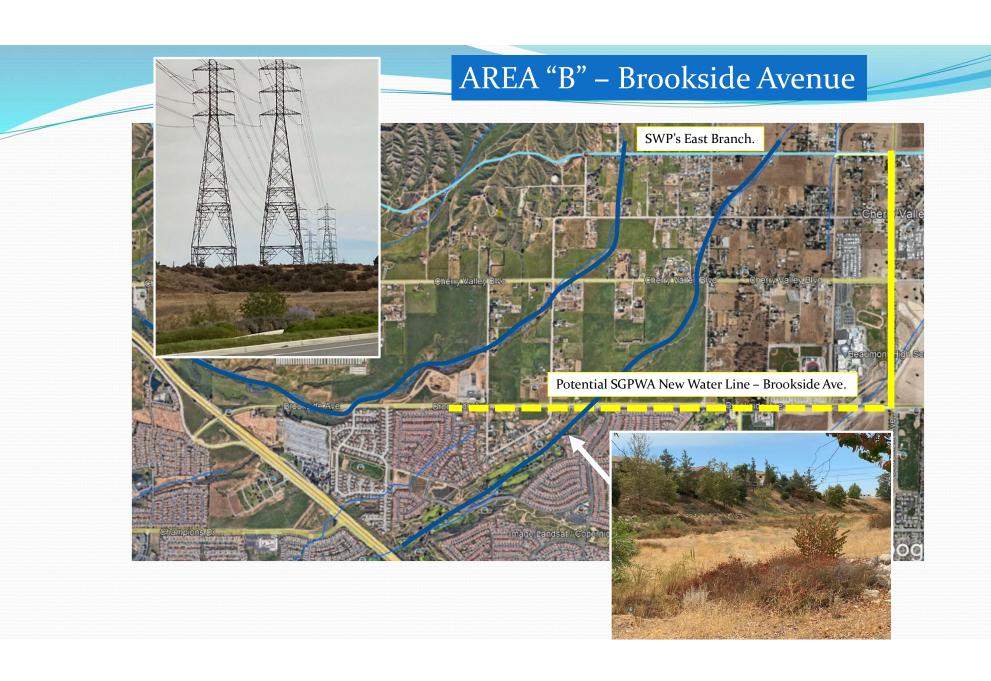
Recharge Imbalance

- 1) Potential for enhanced stormwater capture
- 2) Spreading of imported water
 - A. Existing Basins
 - B. New Basis
- 3) Use of recycled water

Potential Projects to Address Storage Imbalance







Attachment 9 - BBWM Minutes 01-05-2022

Recommendation: That the Beaumont Basin Watermaster Committee either reaffirm the existing officers or conduct nominations for the appointment of new officers of the Beaumont Basin Watermaster.

It was moved by Member Jaggers and seconded by Member Armstrong to continue with the current officers:

- · Chair Arturo Vela
- · Vice Chair George Jorritsma
- Secretary Dan Jaggers
- Treasurer Joe Zoba

and approved by the following vote:

AYES:

Armstrong, Hart, Jaggers, Vela, Ares

NOES: ABSTAIN: None.

ABSENT:

None.

STATUS:

Motion Approved

B. Consideration of Special Meeting / Workshop

Recommendation: That the Beaumont Basin Watermaster Committee consider setting a date and agenda for a special meeting /workshop

- i. Review of Mission Statement:
 - 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.
- ii. Topics for Discussion
- iii. Engagement of Facilitator

Member Jaggers introduced the discussion. Chair Vela noted the possibility of engaging a facilitator. Member Hart offered to provide an outline and framework at the February 2 meeting.

Mr. Jaggers reminded that the impetus for this special meeting was to schedule the workshop and agree that a framework to assist with decision making would be helpful.

Member Ares agreed and said something in writing would be helpful. She pointed to suggestions from the consultant regarding things that need to be addressed and rolled into a Request for Proposal. She indicated there may not be need for a facilitator as all understand the path forward. Hart agreed that should be part of the workshop discussion. He reminded that in the past, the Watermaster had a general manager who could facilitate discussion and disseminate information. He noted that challenges of the

Committee are lack of staff to handle certain things and assuring compliance with the Brown Act.

Mr. Jaggers added that another challenge for the technical consultant is taking all member input and formulating it and allowing for different viewpoints. Having a third entity to focus all activities and facilitate discussion and resolution may be a way to insulate an entity from trying to maintain balance while performing the technical work.

Member Hart pointed to the RFPs and suggested it may be beneficial to have a facilitator or coordinator to assure there is proper buy-in from all members.

Chair Vela invited public comment. Mr. Lance Eckhart of the San Gorgonio Pass Water Agency pointed to the technical collaboration and opportunities for public input related to the area's Groundwater Sustainability Plan process and the constraints due to the Brown Act. Any way to work with the area technical managers to bring good collaborative solutions quickly is better, he advised.

Chair Vela indicated the potential for a Technical Advisory Committee to meet outside of the Brown Act and present information to the Board.

Member Jaggers suggested that "facilitator" be changed to "coordinator" and Chair Vela agreed.

Chair Vela tabled the item to the February 2, 2022 meeting.

 Authorize Preparation and Release of a Request for Proposal for annual reporting services

Recommendation: That the Watermaster Committee form an ad hoc committee to develop a Request for Proposal and authorize release of same

Chair Vela reminded the Committee of the discussion at the December 1, 2021 meeting and the vote to extend the term of the contract with ALDA Inc.. There was discussion of the need to go to bid for the services since the original bid was advertised in 2011.

Member Jaggers noted that Member Hart has a draft document and they need to meet to review.

Member Hart also noted there is a procurement policy to review. He offered to provide a draft RFP, indicating the two are related. Ideally, the procurement policy would be formed to utilize it for engagement of a consultant.

Attachment 10 - BBWM Minutes 2022-03-10

 Workshop: Review of Watermaster Foundations and Setting of Goals and Objectives

Recommendation: Discussion

Member Jaggers directed attention to the February 2, 2022 memo from the City of Beaumont. Member Hart indicated that the intention was to provide a basic framework for initiation of discussion. He reviewed the suggested items for discussion and the objective of the discussion.

Chair Vela emphasized the effort necessary to dive into the topics in preparation for the workshops and suggested working on the easier items and waiting for a facilitator / coordinator to guide others.

Member Hart suggested beginning with a higher-level examination of the mission statement, vision statement and some of the goals and objectives to help define more detailed stages to tackle some of the items, as some are not as pressing as others. He said the intent was to assure all are on the same page and working toward a common goal.

Vela noted that some items will have related technical analysis which may get rolled into the efforts to redetermine the safe yield.

Jaggers cautioned that the high-level outline is needed, but the other pieces must not be forgotten moving forward. These things do not happen without effort, he explained, and acknowledged Member Zoba's efforts. The long-term solution is probably not for one entity but for a consultant or subcategory of the next round of work, he noted. Being demonstrated here is how much there is to tackle, he added. Moving forward, a strategy that serves the needs of the Watermaster is needed, and it cannot be one entity's staff. He suggested the Committee members parse up the work or retain a consultant.

Member Zoba recalled that the agency previously had a Chief of Watermaster Services, an employee that was funded by all agencies who did a great job. After a while, YVWD took on the role to push out agendas, but there is a lot to do, he noted. He suggested an RFP for a position that would be able to provide research, memorandums, and recommendations. Jaggers, Vela and Hart concurred regarding the need for expertise and assistance. Mr. Zoba will develop an RFP for the position with Memorandum 22-06 attached.

Mr. Harder commented that Member Hart's outline looks similar to a Groundwater Sustainability Plan or a Basin Management Plan. It is beneficial from the technical side to have a clear understanding of needs, goals and operation of the Basin before any technical studies or modeling is done, he said, and recommended a formal action plan.

Chair Vela agreed and noted it further justifies assistance with development of scope and assistance through the RFP process, and manage whoever is hired.

It is a lot like the Sustainable Groundwater Management Act, but there is a judgment here and protection of storage is important, as all have built groundwater management plans around it, Member Armstrong stated.

Chair Vela continued the item to a future meeting.

 Consideration of Engagement of Coordinator / Facilitator to lead future Workshops

Recommendation: Direct staff to identify an available candidate or candidates and bring back information to the April 6, 2022 meeting

Chair Vela indicated that this ties into the RFP to be produced. He continued the item to the next meeting.

VIII. Comments from the Watermaster Committee Members

Member Zoba noted the construction of an industrial building on Cherry Valley Boulevard and advised of an arrangement between Beaumont-Cherry Valley Parks and Recreation District and YVWD for use of the groundwater well. Recycled water pipeline is also being extended for the landscaping needs, he noted.

Member Jaggers advised that the intent is to continue to offer hybrid teleconference and in-person meetings at the BCVWD office. The AB 361 item will continue to be agendized.

In response to Chair Vela, Counsel Montoya advised that the term extension amendment to the contract for completion of the annual report should be agendized on the April 6, 2022 meeting. Jaggers reminded that the work was authorized for 2022 and an RFP would be created as part of the workshop activities. Mr. Montoya reminded about outstanding tasks and the need for a new contract moving forward.