

**Appendix K:
Utilities Supporting Information**

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RUBIDOUX COMMUNITY SERVICES DISTRICT
3590 RUBIDOUX BOULEVARD
JURUPA VALLEY, CA 92509-4525
(915) 684-7580

**WATER SUPPLY ASSESSMENT
AND WRITTEN VERIFICATION
FOR
RIO VISTA SPECIFIC PLAN 16001 PROJECT**

OCTOBER 2021

Prepared by



Office: 3602 University Ave, Riverside, CA 92501
Mail/Ship: 3890 Orange St #1509, Riverside, CA 92502



Signed: _____ *D. Scriven*

Date: _____ 10/19/2021

Approved by:

RUBIDOUX COMMUNITY SERVICES DISTRICT

Signed: _____ *M. Simms*
General Manager

Date: _____ 10-19-21

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CHAPTER I
INTRODUCTION



CHAPTER I INTRODUCTION

On June 27, 2017, the City of Jurupa Valley Planning Department sent the Rubidoux Community Services District (RCSD) an Inter-Agency Project Review Request. In July 2018, the project developers requested RCSD to prepare a Water Supply Assessment for use in preparing the environmental impact report for the Río Vista Specific Plan in accordance with the provisions of Senate Bill No. 221 and Senate Bill No. 610. A Water Supply Assessment (WSA) was completed in July 2018 and was approved by the Board of Directors on July 19, 2018. However, modifications to the Plan of Development were made subsequent to the completion of the WSA. On April 6, 2021, the City of Jurupa Valley Planning Department requested RCSD to prepare an updated WSA for use in preparing the environmental impact report for the Río Vista Specific Plan Project. A copy of the City's request is included as **Appendix A.1**.

Under provisions of the Senate Bills, RCSD has 90 days to prepare the WSA. Since the City's request, the Project proponent has revised the proposed Land Use Plan. The revised proposed Land Use Plan is incorporated herein as **Appendix A.2**. This assessment was prepared in response to the City's request and was approved by the Board of Directors on October 12, 2021.

A. **SENATE BILL NO. 221 (CALIFORNIA GOVERNMENT CODE SECTION 66473.7 (CGC 66473.7))**

CGC 66473.7 (**Appendix B**) prohibits approval of a tentative map, or a parcel map for which a tentative map was not required, or a development agreement for subdivisions of more than 500 dwelling units unless the legislative body of a city or county provides written verification from the applicable public water system (PWS) that a sufficient water supply water supply is defined as "the total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed subdivision, in addition to existing and planned future uses, including, but not limited to, agricultural and industrial uses".

In determining sufficient water supply, all of the following factors shall be considered:

- Availability of water supplies over a historical record of at least 20 years.



- Applicability of an urban water shortage contingency analysis prepared pursuant to Section 10632 of the Water Code that includes actions to be undertaken by the PWS in response to water supply shortages.
- Reduction in water supply allocated to a specific water use sector pursuant to a resolution or ordinance adopted or a contract entered into by the PWS.
- Amount of water from other water supply projects such as conjunctive use, reclaimed water, water conservation, and water transfer.

In addition, the Written Verification shall be supported by substantial evidence which may include, but is not limited to, any of the following:

- The most recently adopted Urban Water Management Plan (UWMP).
- A WSA that was completed pursuant to Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code.
- A groundwater sustainability plan (GSP) adopted or alternative approved pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code.
- Other information relating to the sufficiency of the water supply that contains analytical information substantially similar to the assessment required by Section 10635 of the Water Code.

If the Written Verification relies on projected water supplies that are not currently available, the availability of said supplies shall be based on written contracts or other proof of valid rights to the identified water supply, copies of a capital outlay program for financing the delivery of a sufficient water supply, securing of applicable federal, state, and local permits for construction of necessary infrastructure, and any necessary regulatory approvals.

The Written Verification shall also include a description, to the extent that data is reasonably available based on published records maintained by federal and state agencies, and public records of local agencies, of the reasonably foreseeable impacts of the proposed subdivision on the availability of water resources for agricultural and industrial uses within the PWS's service area that are not currently receiving water from the PWS but are utilizing the same sources of water.



If a water supply includes groundwater, the PWS shall evaluate, based on substantial evidence, the extent to which it or the landowner has the right to extract the additional groundwater to supply the proposed subdivision.

In addition, if the water supply includes groundwater, the following factors shall be considered in the Written Verification:

- For basins that have been adjudicated, a copy of the order or decree adopted by the court or the board.
- For basins that have not been adjudicated and are designated as medium- or high-priority under the Sustainable Groundwater Management Act (SGMA), the most recently adopted GSP or approved alternative plan;
- For medium- or high-priority basins that have not been adjudicated where no GSP or alternative has been approved, and for basins that have not been adjudicated that are designated as low- or very low-priority under SGMA, information as to whether the Department of Water Resources (DWR) has identified the basin as being overdrafted or projected that the basin will become overdrafted if present management conditions continue.

B. SENATE BILL NO. 610 (CALIFORNIA WATER CODE SECTION 10910 (CWC 10910))

CWC 10910 (**Appendix C**) requires that a city or county, upon determining that a project with a significant water demand is subject to CEQA, request that any PWS responsible for supplying water to the project determine whether the project's projected water demand was included in its most recently adopted UWMP. If such demand was not accounted for, the PWS must prepare a WSA, which must include a discussion of the ability of the PWS's available water supply to meet the project's projected water demand in addition to the PWS's existing and planned future demands.

CWC 10910 defines a Project as:

- A proposed residential development of more than 500 dwelling units.
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.



- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.
- A proposed hotel or motel, or both, having more than 500 rooms.
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
- A mixed-use project that includes one or more of the aforementioned projects.
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project. If a PWS has fewer than 5,000 service connections, a project would also be defined as a proposed development that would account for an increase of 10% or more in the number of the PWS's existing service connections.

In addition to the above, CWC 10910 requires that the WSA identify any existing water supply entitlements, water rights, or water service contracts held by the PWS, as evidenced by written contracts, copies of capital outlay programs, necessary regulatory approvals, and federal, state, and local infrastructure construction permits relevant to the identified project's water supply, including a description of quantities of water received in prior years by the PWS under the existing water supply entitlements, water rights, or water service contracts. If no water has been received in prior years by the PWS, the WSA must identify another PWS that receives water supply from or has existing water supply entitlements, water rights, or water service contracts to the same source of water that the PWS has identified as a source of its water supply.

The WSA shall include:

- Identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project and quantities of water received in prior years by the PWS under the existing water supply entitlements, water rights, or water service contracts, including a description of quantities of water received in prior years by the PWS under the existing water supply entitlements, water rights, or water service contracts. Identification of the existing entitlements, water rights, or contracts shall be demonstrated by providing information related to written contracts or other proof of entitlement to the identified water supply, copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the PWS, federal,



state, and local permits for construction of necessary infrastructure associated with delivering the water supply, and any necessary regulatory approvals required to convey or deliver the water supply. If no water has been received in prior years by the PWS, the WSA must identify another PWS that receives water supply from or has existing water supply entitlements, water rights, or water service contracts to the same source of water that the PWS has identified as a source of its water supply.

- Identification of other PWSs that receive a water supply or have existing water supply entitlements, water rights, or water service contracts to the same source of water.
- A review of any information in the UWMP relevant to the identified water supply for the proposed project.
- If the water supply for a proposed project includes groundwater, CWC 10910 requires that the following additional information be included in the WSA:
 - A description of the groundwater basin or basins from which the proposed project will be supplied, together with pertinent documents (if adjudicated) or information as to actual or pending [i.e. potential] overdraft (if not adjudicated).
 - If a basin has been adjudicated, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the PWS has the legal right to pump under the order or decree shall be addressed.
 - If a basin has not been adjudicated, and has been designated by the DWR as "low" or "very low" priority, information as to whether the DWR has identified the basin as overdrafted or has projected that the basin will become overdrafted in the most current bulletin of the DWR that characterizes the condition of the groundwater basin shall be addressed as well as a detailed description of the efforts being undertaken to eliminate the long-term overdraft condition.
 - If a basin has not been adjudicated, and has been designated by the DWR as "medium" or "high" priority, information regarding the following:
 - (i) Whether the DWR has identified the basin as being subject to critical conditions of overdraft.
 - (ii) If a groundwater sustainability agency has adopted a groundwater sustainability plan or has an approved alternative, a copy of that alternative or plan.



- A detailed description and analysis of the amount and location of groundwater pumped by the PWS for the past five years from any groundwater basin from which the proposed project will be supplied.
- A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the PWS from any basin from which the proposed project will be supplied.
- An analysis of the sufficiency of the groundwater from the basin from which the proposed project will be supplied to meet the projected water demand associated with the proposed project.

The city or county shall request the PWS to determine if the projected water demand associated with a project was included in the most recently adopted UWMP. If the projected water demand was accounted for in the most recently adopted UWMP, the PWS may incorporate information from the UWMP to comply with the aforementioned requirements.

If, as a result of the assessment, the PWS concludes that its water supplies are or will be insufficient for the proposed Project, the PWS shall provide its plans for acquiring additional water supplies. Said plans may include, but are not limited to, estimated total cost and proposed method of financing the costs associated with the additional water supplies; all federal, state, and local permits, approvals, or entitlements anticipated to be required to acquire and develop the additional water supplies; and estimated time frames to acquire the additional water supplies.

CHAPTER II

PROJECT



CHAPTER II PROJECT

A. GENERAL

The Project is located in the northeast quadrant of the City of Jurupa Valley, specifically west of Rubidoux Boulevard, south of the Riverside/San Bernardino county line, east of Armstrong Road and Sierra Avenue, and north of La Canada Drive. The overall size of the Project Site is 917.3 acres. The Project Site is approximately 1.4 miles north of Interstate 60 (I-60) and 2.5 miles south of Interstate 10 (I-10).

Based on the currently proposed Land Use Plan dated August 5, 2021 (**Appendix A.2.**), the project will consist of a maximum of 1,697 residential dwelling units, 58 acres of light industrial development, 82 acres of business park development, a 13.4-acre school site, a 14.3-acre public park, and 541 acres of open space, water tanks and basins, and circulation. The entire project will annex into the RCSD, with the exception of PA 7, which will annex into and be served by the Jurupa Community Services District (JCSD).

B. WATER DEMAND

The area designated as the Río Vista Specific Plan was identified in RCSD's 2020 Urban Water Management Plan with an annual water demand of approximately 2,000 acre-feet per year (AF/yr). Said demand was not based on 2015 RCSD water demand factors used elsewhere in the 2015 Water Facilities Master Plan, but rather on a water and sewer facilities report prepared by Albert A. Webb Associates on January 29, 2008, which incorporated RCSD water use assumptions current for 2008. Due to the implementation of water conservation measures starting around 2012, residential water demands have decreased since 2008.

A revised demand determination for the Río Vista Specific Plan project, incorporating the revised proposed land use plan and updated residential water use assumptions as set forth in RCSD's 2015 Water Facilities Master Plan, is included herein as **Appendix D**. According to the calculations set forth in **Appendix D**, the maximum anticipated total water demand for the project is slightly under 1,000 AF/yr, which is considerably less than the 2,000 AF/yr estimated in previous reports. This is largely due to the use of more recent duty factors for residential development which reflect the implementation of water conservation measures.

CHAPTER III
WATER SUPPLY



CHAPTER III WATER SUPPLY

A. GENERAL

Since RCSD potable water supply consists of groundwater, Senate Bills Nos. 221 and 610 require additional information to be included in the WSA. This chapter will address the following:

- Review of any information in the UWMP relevant to the identified water supply for the proposed project.
- Description of groundwater basins from which the proposed project will be supplied.
- Description of the amount of groundwater RCSD has the legal right to pump.
- Identification of other PWSs that receive a water supply or have existing water supply entitlements, water rights, or water service contracts to the same source of water.
- Detailed description and analysis of the amount and location of groundwater pumped by RCSD for the past five years from any groundwater basin from which the proposed project will be supplied.
- Detailed description and analysis of the amount and location of groundwater that is projected to be pumped by RCSD from any basin from which the proposed project will be supplied.
- An analysis of the sufficiency of the groundwater from the basin from which the proposed project will be supplied to meet the projected water demand associated with the project.

B. REVIEW OF ANY INFORMATION IN THE URBAN WATER MANAGEMENT PLAN RELEVANT TO THE IDENTIFIED WATER SUPPLY FOR THE PROPOSED PROJECT

RCSD's 2020 Urban Water Management Plan (UWMP), adopted 6/17/2021, addressed water resources, reliability planning, water use provisions, supply and demand comparison provisions, water demand management measures, and water recycling, and included a water shortage contingency plan. RCSD's 2020 UWMP is incorporated herein by reference.

RCSD's 2020 UWMP incorporates a specific projected annual demand of 2,000 AF/Yr for the proposed Project.



C. DESCRIPTION OF GROUNDWATER BASINS FROM WHICH THE PROPOSED PROJECT WILL BE SUPPLIED

RCSD currently has six potable and six non-potable water production wells that extract groundwater from the Riverside South Groundwater Basin. Essentially all of RCSD's service area overlies the Riverside South Groundwater Basin. Based on RCSD's Water Facilities Master Plan, future water demand (including water demand for the proposed Project) will be met by continued and increased production of groundwater from the Riverside South Groundwater Basin.

The Riverside South Groundwater Basin is that portion of the Riverside Groundwater Basin located in Riverside County (The Riverside North Groundwater Basin is that portion of the Riverside Groundwater Basin located in San Bernardino County). The Riverside Basin is located between the Chino Groundwater Basin on the northwest and the Colton Groundwater Basin on the northeast.

D. DESCRIPTION OF THE AMOUNT OF GROUNDWATER RCSD HAS THE LEGAL RIGHT TO PUMP

On March 1, 1963, Western Municipal Water District (WMWD) filed a suit for a general adjudication of water rights within the San Bernardino Basin Area. A physical settlement was completed and documents delineating the settlement were entered in the Superior Court of the State of California in and for the County of Riverside on April 17, 1969, being Judgment No. 78426 (hereafter referred to as the 1969 Judgment). The 1969 Judgment included the establishment of rights to extract water from three groundwater basins (San Bernardino, Colton, and Riverside) and provided for replenishment in the event actual extractions exceed those rights. The 1969 Judgment is included as **Appendix E**.

The 1969 Judgment required the Watermaster to determine base extraction rights and export rights based on the average annual extractions and exports which occurred over the five-year period 1959 through 1963. The Court appointed a Watermaster, composed of two persons (each representing the interests of one of the parties), to administer and enforce the provisions of the 1969 Judgment and to report annually to the Court and the parties to the litigation. Accordingly, the Watermaster prepares an annual report which provides an accounting of extractions within the noted basins.

The 1969 Judgment established principles for determining allowable extractions from the San Bernardino, Colton, and Riverside groundwater basins. According to the terms of the 1969 Judgment, WMWD and San Bernardino Valley Municipal Water District are obligated to



provide groundwater replenishment if actual extractions exceed allowable extractions; however, neither agency has ever had to provide replenishment in accordance with the 1969 Judgment. If replenishment is ever required, the costs for such replenishment will probably be allocable to the groundwater extractors, including RCSD. However, neither the Watermaster nor the Court have ever established a formula for allocating replenishment costs to groundwater extractors.

The 1969 Judgment was amended on February 24, 1992 to clarify provisions relating to the computation of the replenishment obligations and credits of the parties.

Discussions with the WMWD Watermaster indicate that replenishment would not commence until the combined credits of the Colton, Riverside North, and Riverside South groundwater basins are depleted; therefore, the following recitals from the 1969 Judgment apply to RCSD:

1. Extractions from Colton Basin Area and Riverside Basin Area in San Bernardino County for use in Riverside County

Recital VIJI (a) provides "The average annual extractions from the Colton Basin Area and that portion of the Riverside Basin Area within San Bernardino County for use outside San Bernardino Valley for the five-year period ending with 1963 are assumed to be 3,349 acre-feet (AF) and 20,191 AF, respectively, the correct figures shall be determined by the Watermaster as therein provided." The extractions were later adjusted by the Watermaster in accordance with the 1969 Judgment to 3,381 AF/yr for the Colton Groundwater Basin and 21,085 AF/yr for the Riverside North Groundwater Basin, hereinafter referred to as base rights.

Recital VIII (b) provides "Over any five-year period, there may be extracted from each such Basin Area for use outside San Bernardino Valley, without replenishment obligation, and amount equal to five times such annual average for the Basin Area; provided, however, that if extractions in any year exceed such average by more than 20%, WMWD shall provide replenishment in the following year equal to the excess extractions over such 20% peaking allowance."

The five-year limits for the Colton Groundwater Basin and the Riverside North Groundwater Basin are 16,905 AF and 105,425 AF, respectively. The one-year maximum



extraction for the Colton Groundwater Basin and the Riverside North Groundwater Basin are 4,057 AF and 25,302 AF, respectively.

The most recent Watermaster report dated August 1, 2020, which addresses extractions for calendar years 1971 through 2019, is summarized as follows:

- a. Extractions from the Colton Groundwater Basin for use in Riverside County for the five-year period 2015-2019 amounted to 5,335 AF or about 32% of the 16,905 AF five-year limit. Watermaster records show that the maximum five-year extraction occurred in 1975-79 at 11,402 AF. Since 1971, annual extractions have never exceeded the 4,057 AF limit. The maximum annual extraction occurred in 1975 at 3,873 AF. Extractions for 2019 were substantially lower at 462 AF.
- b. Extractions from the Riverside North Groundwater Basin for use in Riverside County for the five-year period 2015-2019 amounted to 46,298 AF, or about 44% of the 105,425 AF five-year limit. Watermaster records show that the maximum five-year extraction occurred in 1989-93 at 80,014 AF. Since 1971, annual extractions have never exceeded the 25,302 AF limit. The maximum annual extraction occurred in 1972 at 18,588 AF. Extractions for 2019 were substantially lower at 8,855 AF.

2. Extractions from the Portion of Riverside Basin Area in Riverside County Tributary to Riverside Narrows

Recital IX (a) provides "The average annual extractions from the portion of the Riverside Basin Area in Riverside County which is tributary to Riverside Narrows, for use in Riverside County, for the five-year period ending with 1963 are assumed to be 30,044 AF; the correct figures shall be determined by the Watermaster as herein provided." The extraction was later adjusted by the Watermaster in accordance with the 1969 Judgment to 29,633 AF/yr, hereinafter referred to as base rights.

Recital IX (b) provides "Over any five-year period, there may be extracted from such Basin Area, without replenishment obligation, an amount equal to five times such annual average for the Basin Area; provided, however, that if extractions in any year exceed such average



by more than 20%, WMWD shall provide replenishment in the following year equal to the excess extractions over such 20% peaking allowance."

The five-year limit for that portion of the Riverside Basin Area (Riverside South Groundwater Basin) in Riverside County which is tributary to Riverside Narrows is 148,165 AF and the one year maximum extraction is 35,560 AF.

Based on the most recent Watermaster Report dated August 1, 2020 (which addresses extractions for calendar years 1971 through 2019), extractions for the five-year period 2015-2019 amounted to 128,689 AF, or about 87% of the 148,165 AF five-year limit. Watermaster records show that maximum five-year extraction occurred in 1972-76 at 169,052 AF.

Since 1971, annual extractions exceeded the 35,560 AF single year limit during three years (1972, 1974, and 2007). The maximum annual extraction occurred in 1974 at 38,304 AF. Extractions for 2019 amounted to 26,500 AF.

The net accumulated credits for the Colton groundwater basin and the Riverside groundwater basins had reached 466,040 AF by 2014.

3. Replenishment to Offset New Exports of Water to Areas Not Tributary to Riverside Narrows

Recital X provides "Certain average annual amounts of water extracted from the San Bernardino Basin Area and the area downstream therefrom to Riverside Narrows during the five-year period ending in 1963 have been exported for use outside of the area tributary to Riverside Narrows and are assumed to be 50,667 AF annually as set forth in Table C-1 of Appendix "C"; the correct amount shall be determined by the Watermaster as herein provided." The extraction was later adjusted by the Watermaster in accordance with the 1969 Judgment to 42,535 AF/yr.

Based on the most recent Watermaster Report dated August 1, 2020, which addresses exports for calendar years 1972 through 2019, exports for 2019 amounted to 33,411 AF or about 79% of the 42,535 AF base right. Since 1971, annual exports exceeded the



42,535 AF single year limit during six years (1976, 1984, 1988, 1989, 1990, and 1991). The maximum annual export occurred in 1991 (46,606 AF).

Replenishment credits apply to extractions, rather than to exports; thus, credits are not applicable to exports of water to areas not tributary to Riverside Narrows.

Most of RCSD's water use is within areas tributary to Riverside Narrows. In 2019, RCSD exports to other areas amounted to about 686 AF. Said areas are considered to have reached ultimate development; therefore, said amounts are not expected to increase in future years.

4. Replenishment Credits and Adjustments for Quality

Recital XI (b) provides that credits against future replenishment obligations accrue for underextractions (amount extracted is less than the allowed amount), return flows from excess extractions, increased treated sewage flows, excess replenishment, conserved storm flows, and return flows from imported water use. Credits for underextractions in the Colton and Riverside Basins are considered in the aggregate. Such credits accrue on an annual basis in the Colton and Riverside Basins.

With a combined net credit of 544,221 AF (as of 2019) for the Colton, Riverside North, and the Riverside South groundwater basins, it is likely that actual extractions from the Riverside South Groundwater Basin can exceed the allowable extractions without replenishment so long as water is available and credits associated with underextractions remain.



E. IDENTIFICATION OF OTHER PUBLIC WATER SYSTEMS THAT RECEIVE A WATER SUPPLY OR HAVE EXISTING WATER SUPPLY ENTITLEMENTS, WATER RIGHTS, OR WATER SERVICE CONTRACTS TO THE SAME SOURCE OF WATER

The most recent Watermaster report dated August 1, 2020 (Volume 4) identifies five PWSs that extract water from the Riverside South Groundwater Basin. For 2019, 26,500 AF/yr was extracted from the Riverside South Groundwater Basin. Extractions by the five PWSs are summarized as follows:

| Public Water System | 2019 Extractions (AF/yr) |
|--------------------------------------|--------------------------|
| City of Riverside | 16,241 |
| Rubidoux Community Services District | 4,717 |
| City of Riverside – Gage Canal | 3,629 |
| Jurupa Community Service District | 492 |
| Eastern Municipal Water District | 0 |
| Total: | 25,079 |

These five PWSs account for approximately 95% of the water extracted from the Riverside South Groundwater Basin. All of the public and private entities that extract water from the Riverside South Groundwater Basin are set forth in **Appendix F**.

F. DETAILED DESCRIPTION AND ANALYSIS OF THE AMOUNT AND LOCATION OF GROUNDWATER PUMPED BY RCSD FOR THE PAST FIVE YEARS FROM ANY GROUNDWATER BASIN FROM WHICH THE PROPOSED PROJECT WILL BE SUPPLIED

As set forth in **Section C** herein, RCSD currently has six potable and six non-potable water production wells that can extract groundwater from the Riverside South Groundwater Basin. The amount of groundwater pumped by RCSD from the Riverside South Groundwater Basin for 2015 through 2019 (based on the latest Watermaster Report) is summarized as follows:

| Year | Groundwater Production (AF/yr) |
|------|--------------------------------|
| 2015 | 7,803 |
| 2016 | 7,329 |
| 2017 | 7,636 |
| 2018 | 5,256 |
| 2019 | 4,717 |



G. DETAILED DESCRIPTION AND ANALYSIS OF THE AMOUNT AND LOCATION OF GROUNDWATER THAT IS PROJECTED TO BE PUMPED BY RCSD FROM ANY BASIN FROM WHICH THE PROPOSED PROJECT WILL BE SUPPLIED

As set forth in **Section C**, future water demand (including water demand for the proposed project) will be met by continued and increased production of groundwater from the Riverside South Groundwater Basin. Based on data presented in RCSD's 2020 UWMP, the projected amount of groundwater to be pumped by RCSD from the Riverside South Groundwater Basin is summarized as follows:

| Year | Projected Groundwater Production (rounded) (AF/yr) |
|------|--|
| 2025 | 7,960 |
| 2030 | 10,686 |
| 2035 | 11,416 |
| 2040 | 12,149 |
| 2045 | 12,886 |

The projected groundwater production includes an estimated 2,000 AF/yr for the proposed project.

H. AN ANALYSIS OF THE SUFFICIENCY OF THE GROUNDWATER FROM THE BASIN FROM WHICH THE PROPOSED PROJECT WILL BE SUPPLIED TO MEET THE PROJECTED WATER DEMAND ASSOCIATED WITH THE PROJECT

In accordance with the 1969 Judgment, RCSD can extract groundwater from the Riverside South Groundwater Basin without restrictions until the combined credit of the Colton, Riverside North, and Riverside South groundwater basins are depleted. Once the available credit is depleted, WMWD will be obligated to provide groundwater replenishment. It is anticipated that the cost for replenishment will be allocated to all groundwater extractors, including RCSD.

Based on the latest Watermaster Report (dated August 1, 2020), total extractions from the Colton, Riverside North, and Riverside South Basins have increased from 31,810 AF/yr in 2015 to 35,817 AF/yr in 2019, approximately a 3% increase per year. Assuming groundwater extractions from these three groundwater basins continues to increase 3% per year, total extraction would increase to approximately 69,127 AF/yr by 2050. At this rate, it would take nearly eight years to deplete the currently available credit of 544,221 AF (a figure which continues to increase).



Even after the available credit is depleted, RCSD can continue to extract groundwater from the Riverside South Groundwater Basin; however, RCSD could be subject to payment of its share of the cost of groundwater replenishment to maintain pumping to meet future water demands.

CHAPTER IV
SUMMARY/CONCLUSIONS



CHAPTER IV
SUMMARY/CONCLUSIONS

A. PROJECT

The Project is located in the northeast quadrant of the City of Jurupa Valley, specifically west of Rubidoux Boulevard, south of the Riverside/San Bernardino county line, east of Armstrong Road and Sierra Avenue, and north of La Canada Drive. The overall size of the Project Site is 917.3 acres. The Project Site is approximately 1.4 miles north of Interstate 60 (I-60) and 2.5 miles south of Interstate 10 (I-10).

The project will consist of a maximum of 1,697 residential dwelling units, 58 acres of light industrial development, 82 acres of business park development, a 13.4-acre school site, a 14.3-acre public park, and 541 acres of open space, water tanks and basins, and circulation. The water demand for the proposed project is currently estimated to be less than 1,000 AF/yr.

B. PROJECTED ANNUAL WATER PRODUCTION REQUIREMENTS

Projected annual water production requirements for RCSD as set forth in RCSD's 2020 UWMP are summarized as follows:

Table with 2 columns: Year, Projected Groundwater Production (rounded) (AF/yr). Rows include years 2025, 2030, 2035, 2040, and 2045 with corresponding production values.

The area designated as the Río Vista Specific Plan was identified in RCSD's 2020 UWMP with an annual water demand of approximately 2,000 AF/yr, which exceeds the currently estimated demand calculated herein according to the currently proposed Land Use Plan. Therefore, the water demand estimated for the current Río Vista Specific Plan was included, with a significant margin of safety, in RCSD's 2020 UWMP.



C. WATER SUPPLY

RCSD's current and future water supply will consist of groundwater extracted from the Riverside South Groundwater Basin.

As a result of the 1969 Judgment, RCSD can extract groundwater from the Riverside South Groundwater Basin without restrictions until the combined credit of the Colton, Riverside North, and Riverside South Groundwater Basins are depleted. Once the available credit is depleted, WMWD will be obligated to provide groundwater replenishment. It is anticipated that the cost of the replenishment will be allocated to all groundwater extractors, including RCSD.

Based on the latest Watermaster Report (dated August 1, 2020), total extractions from the Colton, Riverside North, and Riverside South Basins have increased from 31,810 AF/yr in 2015 to 35,817 AF/yr in 2019, approximately a 3% increase per year. Assuming groundwater extractions from these three groundwater basins continues to increase 3% per year, total extraction would increase to approximately 69,127 AF/yr by 2050. At this rate, it would take nearly eight years to deplete the currently available credit of 544,221 AF (a figure which continues to increase).

Even after the available credit is depleted, RCSD can continue to extract groundwater from the Riverside South Groundwater Basin; however, RCSD could be subject to payment of its share of the cost of groundwater replenishment to maintain pumping to meet future water demand.

D. CONCLUSION

As a result of the 1969 Judgment, RCSD is guaranteed a sufficient water supply from the Riverside South Groundwater Basin to meet current and future water demands, including the demands of the proposed Project.

APPENDIX A1

**CITY OF JURUPA VALLEY
REQUEST FOR
WATER SUPPLY ASSESSMENT**

City of Jurupa Valley

Lorena Barajas Mayor, Chris Barajas Mayor Pro Tem,
Leslie Altamirano, Council Member, Brian Berkson, Council Member, Guillermo Silva, Council Member

April 6, 2021

Rubidoux Community Services District
Ted Beckwith, Director of Engineering
3590 Rubidoux Blvd.
Jurupa Valley, CA 92509

Sent via email: tbeckwith@rcsd.org

SUBJECT: REQUEST FOR WATER SUPPLY ASSESSMENT FOR THE RIO VISTA SPECIFIC PROJECT (CITY CASE NO. MA16045)

Dear Mr. Beckwith,

The City of Jurupa Valley is the Lead Agency pursuant to the California Environmental Quality Act (CEQA), for the Environmental Impact Report (EIR) that is being prepared for the Rio Vista Specific Plan project. Because of the size and scope of the project, the City will need to comply with the water supply assessment requirements of the State Water Code (Section 10910-10915), pursuant to State CEQA Guidelines Section 15155 (a) (1))G). Therefore, the City is requesting a water supply assessment from the Rubidoux Community Services District to determine the District's ability to meet the water demands of the proposed project. The attached information is intended to aid the District in the preparation of the requested water supply assessment.

If you have any questions or need additional information, please don't hesitate to contact me by email at jpechous@jurupavalley.org or by phone at 951-332-6464.

Sincerely,

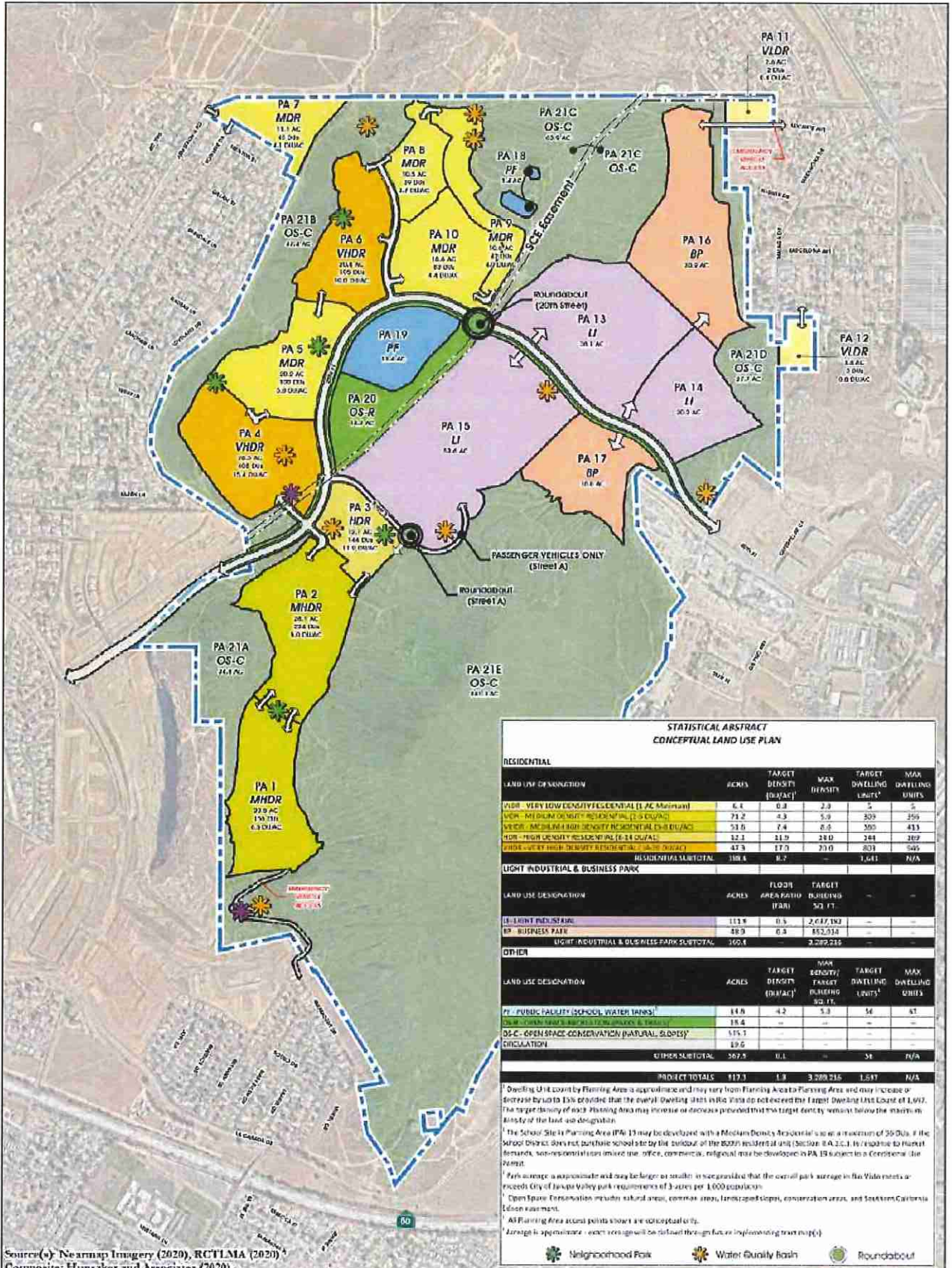


Jim Pechous, Principal Planner

Attachments:

Land Use Plan
Land Use Summary Table

Land Use Plan



Source(s): Ne armap Imagery (2020), RCTLMA (2020)
Composite: Hunsaker and Associates (2020)

- Neighborhood Park
- Water Quality Basin
- Roundabout

Land Use Table

| RESIDENTIAL | | | | | | |
|--|--|--------------|--------------------------------|--------------------|-----------------------------------|----------------------------------|
| PA | LAND USE | ACRES | TARGET DUs¹ | MAXIMUM DUs | TARGET DENSITY¹ | DENSITY RANGE¹ |
| 1 | Medium-High Density Residential (MHDR) | 23.5 | 156 | 188 | 6.6 | 5.0 – 8.0 |
| 2 | Medium-High Density Residential (MHDR) | 28.1 | 224 | 225 | 8.0 | 5.0 – 8.0 |
| 3 | High Density Residential (HDR) | 12.1 | 144 | 169 | 11.9 | 8.0 - 14.0 |
| 4 | Very High Density Residential (VHDR) | 26.5 | 408 | 530 | 15.4 | 14.0 - 20.0 |
| 5 | Medium Density Residential (MDR) | 20.2 | 100 | 101 | 5.0 | 2.0 - 5.0 |
| 6 | Very High Density Residential (VHDR) | 20.8 | 395 | 416 | 19.0 | 14.0 - 20.0 |
| 7 | Medium Density Residential (MDR) | 11.1 | 45 | 56 | 4.1 | 2.0 - 5.0 |
| 8 | Medium Density Residential (MDR) | 10.5 | 39 | 53 | 3.7 | 2.0 - 5.0 |
| 9 | Medium Density Residential (MDR) | 10.6 | 42 | 53 | 4.0 | 2.0 - 5.0 |
| 10 | Medium Density Residential (MDR) | 18.8 | 83 | 94 | 4.4 | 2.0 - 5.0 |
| 11 | Very Low Density Residential | 2.6 | 2 | 2 | 0.8 | 2.0 |
| 12 | Very Low Density Residential | 3.8 | 3 | 3 | 0.8 | 2.0 |
| RESIDENTIAL SUBTOTAL | | 188.6 | 1,641 | N/A | 8.7 | -- |
| LIGHT INDUSTRIAL & BUSINESS PARK | | | | | | |
| PA | LAND USE | ACRES | MAXIMUM BUILDING SQ. FT | | FLOOR AREA RATIO | |
| 13 | Light Industrial (LI) | 38.1 | 2,437,182 | | 0.5 | |
| 14 | Light Industrial (LI) | 20.2 | | | | |
| 15 | Light Industrial (LI) | 53.6 | | | | |
| 16 | Business Park (BP) | 30.9 | 852,034 | | 0.4 | |
| 17 | Business Park (BP) | 18.0 | | | | |
| LIGHT INDUSTRIAL & BUSINESS PARK SUBTOTAL | | 160.8 | 3,289,216 | | -- | |
| OTHER | | | | | | |
| PA | LAND USE | ACRES | TARGET DUs¹ | MAXIMUM DUs | TARGET DENSITY¹ | DENSITY RANGE¹ |
| 18 | Public Facility – Water Tanks (PF) | 1.4 | -- | -- | -- | -- |
| 19 | Public Facility – School (PF) | 13.4 | 56 | 67 | 4.2 | 5.0 |
| 20 | Community Park (OS-R) | 14.3 | -- | -- | -- | -- |

Land Use Table cont.

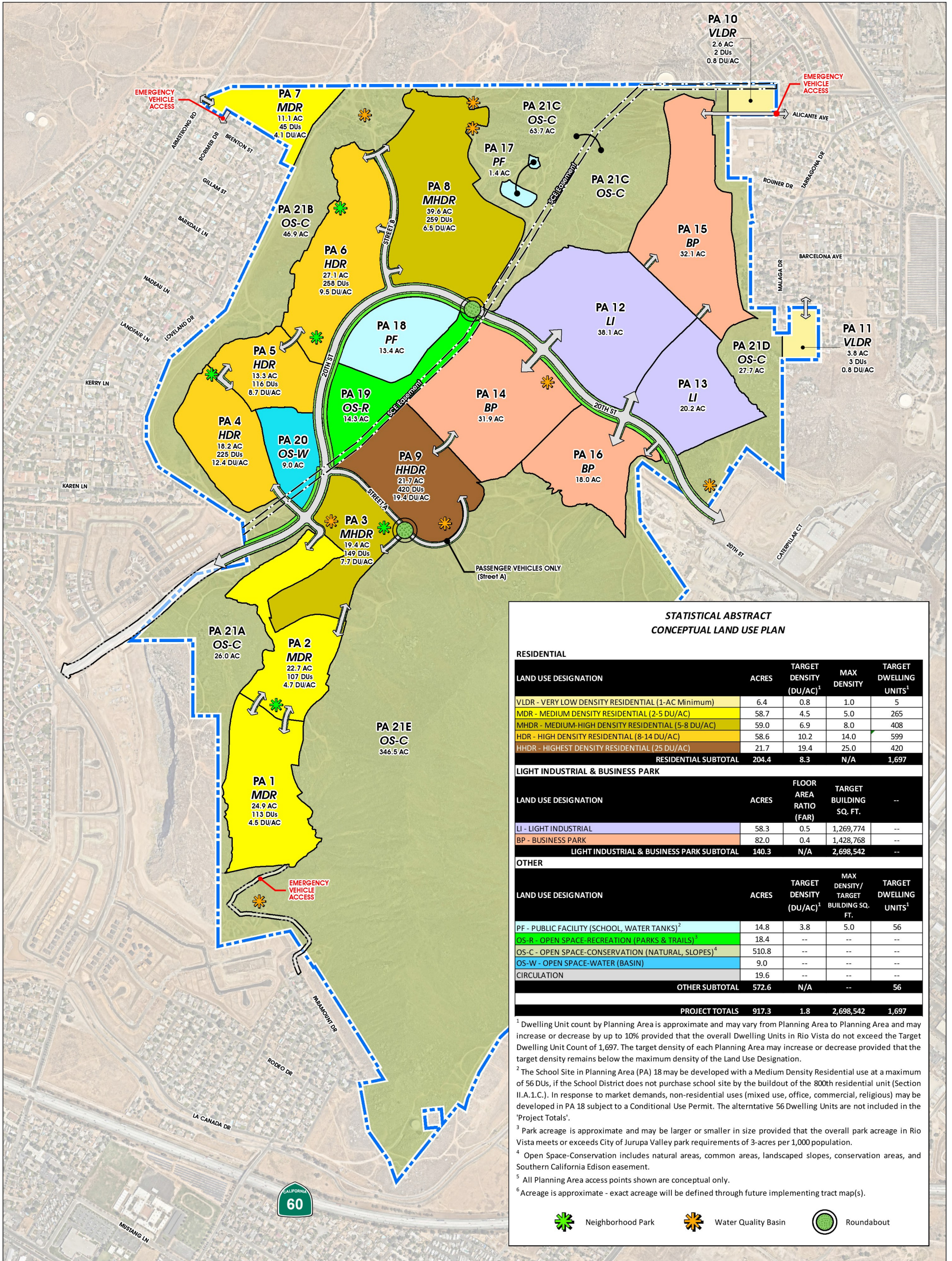
| | | | | | | |
|--|----------------------------------|-----------------------|-----------------------------------|------------------------|---------------------------------------|--------------------------------------|
| 21A | Open Space (Natural, Slope) | 34.8 | -- | -- | -- | -- |
| 21B | Open Space (Natural, Slope) | 47.4 | -- | -- | -- | -- |
| 21C | Open Space (Natural, Slope) | 63.9 | -- | -- | -- | -- |
| 21D | Open Space (Natural, Slope) | 27.7 | -- | -- | -- | -- |
| 21E | Open Space (Natural, Slope) | 341.3 | -- | -- | -- | -- |
| | Expanded Parkway (Trails) (OS-R) | 4.1 | -- | -- | -- | -- |
| | Circulation | 19.6 | -- | -- | -- | -- |
| OTHER SUBTOTAL | | 567.9 | 56 | N/A | 0.1 | -- |
| | | ACRES | TARGET DUs¹ | MAXIMUM DUs | TARGET DENSITY¹ | DENSITY RANGE¹ |
| PROJECT TOTALS | | 917.3 | 1,697 | 1,956 | 1.8 | -- |
| OVERALL MAXIMUM BUILDING SQUARE FOOTAGE | | 3,289,216 s.f. | | | | |

Notes:

1. Dwelling Unit count by Planning Area (PA) is approximate and may vary from PA to PA and may increase or decrease by up to 15% provided that the overall Dwelling Units in RIO VISTA do not exceed the Target 1,697 Dwelling Units. The target density of each Planning Area may increase or decrease provided that the target density remains below the maximum density of the land use designation.
2. The potential School Site in PA 19 may be developed with a Medium Density Residential use with a target of 56 DUs, if the School District does not purchase school site by the buildout of the 800th residential unit (Section II.A.1.C.). In response to market demands, non-residential uses (mixed use, office, commercial, religious) may be developed in PA 19 subject to a Conditional Use Permit.
3. Park acreage is approximate and may be larger or smaller provided that the overall park acreage in RIO VISTA meets or exceeds City of Jurupa Valley park requirements of 3-acres per 1,000 population.
4. Open Space-Conservation includes natural areas, common areas, landscaped slopes, conservation areas, and Southern California Edison easement.
5. Acreage is approximate - exact acreage will be defined through future implementing tract map(s).

APPENDIX A2

REVISED PROPOSED LAND USE PLAN (LUP) 8/5/2021



**STATISTICAL ABSTRACT
CONCEPTUAL LAND USE PLAN**

| RESIDENTIAL | | | | |
|---|--------------|-------------------------------------|-------------------------------------|------------------------------------|
| LAND USE DESIGNATION | ACRES | TARGET DENSITY (DU/AC) ¹ | MAX DENSITY | TARGET DWELLING UNITS ¹ |
| VLDR - VERY LOW DENSITY RESIDENTIAL (1-AC Minimum) | 6.4 | 0.8 | 1.0 | 5 |
| MDR - MEDIUM DENSITY RESIDENTIAL (2-5 DU/AC) | 58.7 | 4.5 | 5.0 | 265 |
| MHDR - MEDIUM-HIGH DENSITY RESIDENTIAL (5-8 DU/AC) | 59.0 | 6.9 | 8.0 | 408 |
| HDR - HIGH DENSITY RESIDENTIAL (8-14 DU/AC) | 58.6 | 10.2 | 14.0 | 599 |
| HHDR - HIGHEST DENSITY RESIDENTIAL (25 DU/AC) | 21.7 | 19.4 | 25.0 | 420 |
| RESIDENTIAL SUBTOTAL | 204.4 | 8.3 | N/A | 1,697 |
| LIGHT INDUSTRIAL & BUSINESS PARK | | | | |
| LAND USE DESIGNATION | ACRES | FLOOR AREA RATIO (FAR) | TARGET BUILDING SQ. FT. | -- |
| LI - LIGHT INDUSTRIAL | 58.3 | 0.5 | 1,269,774 | -- |
| BP - BUSINESS PARK | 82.0 | 0.4 | 1,428,768 | -- |
| LIGHT INDUSTRIAL & BUSINESS PARK SUBTOTAL | 140.3 | N/A | 2,698,542 | -- |
| OTHER | | | | |
| LAND USE DESIGNATION | ACRES | TARGET DENSITY (DU/AC) ¹ | MAX DENSITY/TARGET BUILDING SQ. FT. | TARGET DWELLING UNITS ¹ |
| PF - PUBLIC FACILITY (SCHOOL, WATER TANKS) ² | 14.8 | 3.8 | 5.0 | 56 |
| OS-R - OPEN SPACE-RECREATION (PARKS & TRAILS) ³ | 18.4 | -- | -- | -- |
| OS-C - OPEN SPACE-CONSERVATION (NATURAL, SLOPES) ⁴ | 510.8 | -- | -- | -- |
| OS-W - OPEN SPACE-WATER (BASIN) | 9.0 | -- | -- | -- |
| CIRCULATION | 19.6 | -- | -- | -- |
| OTHER SUBTOTAL | 572.6 | N/A | -- | 56 |
| PROJECT TOTALS | 917.3 | 1.8 | 2,698,542 | 1,697 |

¹ Dwelling Unit count by Planning Area is approximate and may vary from Planning Area to Planning Area and may increase or decrease by up to 10% provided that the overall Dwelling Units in Rio Vista do not exceed the Target Dwelling Unit Count of 1,697. The target density of each Planning Area may increase or decrease provided that the target density remains below the maximum density of the Land Use Designation.

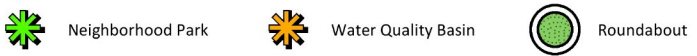
² The School Site in Planning Area (PA) 18 may be developed with a Medium Density Residential use at a maximum of 56 DUs, if the School District does not purchase school site by the buildout of the 800th residential unit (Section II.A.1.C.). In response to market demands, non-residential uses (mixed use, office, commercial, religious) may be developed in PA 18 subject to a Conditional Use Permit. The alternative 56 Dwelling Units are not included in the 'Project Totals'.

³ Park acreage is approximate and may be larger or smaller in size provided that the overall park acreage in Rio Vista meets or exceeds City of Jurupa Valley park requirements of 3-acres per 1,000 population.

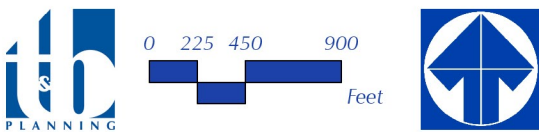
⁴ Open Space-Conservation includes natural areas, common areas, landscaped slopes, conservation areas, and Southern California Edison easement.

⁵ All Planning Area access points shown are conceptual only.

⁶ Acreage is approximate - exact acreage will be defined through future implementing tract map(s).



Source(s): Nearmap Imagery (2020), RCTLMA (2020)
Composite: Hunsaker and Associates (07-22-2021)



Rio Vista Specific Plan Land Use Plan

APPENDIX B

**CALIFORNIA GOVERNMENT CODE SECTION 66473.7
(SENATE BILL NO. 221 AS AMENDED)**

State of California

GOVERNMENT CODE

Section 66473.7

66473.7. (a) For the purposes of this section, the following definitions apply:

(1) “Subdivision” means a proposed residential development of more than 500 dwelling units, except that for a public water system that has fewer than 5,000 service connections, “subdivision” means any proposed residential development that would account for an increase of 10 percent or more in the number of the public water system’s existing service connections.

(2) “Sufficient water supply” means the total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed subdivision, in addition to existing and planned future uses, including, but not limited to, agricultural and industrial uses. In determining “sufficient water supply,” all of the following factors shall be considered:

(A) The availability of water supplies over a historical record of at least 20 years.

(B) The applicability of an urban water shortage contingency analysis prepared pursuant to Section 10632 of the Water Code that includes actions to be undertaken by the public water system in response to water supply shortages.

(C) The reduction in water supply allocated to a specific water use sector pursuant to a resolution or ordinance adopted, or a contract entered into, by the public water system, as long as that resolution, ordinance, or contract does not conflict with Section 354 of the Water Code.

(D) The amount of water that the water supplier can reasonably rely on receiving from other water supply projects, such as conjunctive use, reclaimed water, water conservation, and water transfer, including programs identified under federal, state, and local water initiatives such as CALFED and Colorado River tentative agreements, to the extent that these water supplies meet the criteria of subdivision (d).

(E) If a proposed subdivision relies in whole or in part on groundwater, the following factors:

(i) For a basin for which a court or the State Water Resources Control Board has adjudicated the rights to pump groundwater, the order or decree adopted by the court or the State Water Resources Control Board.

(ii) For a basin that has not been adjudicated, as follows:

(I) For a basin designated as high- or medium-priority pursuant to Section 10722.4 of the Water Code, the most recently adopted or revised adopted groundwater sustainability plan or approved alternative. If there is no adopted groundwater sustainability plan or approved alternative, information as to whether the Department

of Water Resources has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue.

(II) For a basin designated as low- or very low priority pursuant to Section 10722.4 of the Water Code, information as to whether the Department of Water Resources has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue.

(3) “Public water system” means the water supplier that is, or may become as a result of servicing the subdivision included in a tentative map pursuant to subdivision (b), a public water system, as defined in Section 10912 of the Water Code, that may supply water for a subdivision.

(b) (1) The legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove the tentative map, shall include as a condition in any tentative map that includes a subdivision a requirement that a sufficient water supply shall be available. Proof of the availability of a sufficient water supply shall be requested by the subdivision applicant or local agency, at the discretion of the local agency, and shall be based on written verification from the applicable public water system within 90 days of a request.

(2) If the public water system fails to deliver the written verification as required by this section, the local agency or any other interested party may seek a writ of mandamus to compel the public water system to comply.

(3) If the written verification provided by the applicable public water system indicates that the public water system is unable to provide a sufficient water supply that will meet the projected demand associated with the proposed subdivision, then the local agency may make a finding, after consideration of the written verification by the applicable public water system, that additional water supplies not accounted for by the public water system are, or will be, available prior to completion of the subdivision that will satisfy the requirements of this section. This finding shall be made on the record and supported by substantial evidence.

(4) If the written verification is not provided by the public water system, notwithstanding the local agency or other interested party securing a writ of mandamus to compel compliance with this section, then the local agency may make a finding that sufficient water supplies are, or will be, available prior to completion of the subdivision that will satisfy the requirements of this section. This finding shall be made on the record and supported by substantial evidence.

(c) The applicable public water system’s written verification of its ability or inability to provide a sufficient water supply that will meet the projected demand associated with the proposed subdivision as required by subdivision (b) shall be supported by substantial evidence. The substantial evidence may include, but is not limited to, any of the following:

(1) The public water system’s most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.

(2) A water supply assessment that was completed pursuant to Part 2.10 (commencing with Section 10910) of Division 6 of the Water Code.

(3) A groundwater sustainability plan adopted or alternative approved pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code.

(4) Other information relating to the sufficiency of the water supply that contains analytical information that is substantially similar to the assessment required by Section 10635 of the Water Code.

(d) When the written verification pursuant to subdivision (b) relies on projected water supplies that are not currently available to the public water system, to provide a sufficient water supply to the subdivision, the written verification as to those projected water supplies shall be based on all of the following elements, to the extent each is applicable:

(1) Written contracts or other proof of valid rights to the identified water supply that identify the terms and conditions under which the water will be available to serve the proposed subdivision.

(2) Copies of a capital outlay program for financing the delivery of a sufficient water supply that has been adopted by the applicable governing body.

(3) Securing of applicable federal, state, and local permits for construction of necessary infrastructure associated with supplying a sufficient water supply.

(4) Any necessary regulatory approvals that are required in order to be able to convey or deliver a sufficient water supply to the subdivision.

(e) If there is no public water system, the local agency shall make a written finding of sufficient water supply based on the evidentiary requirements of subdivisions (c) and (d) and identify the mechanism for providing water to the subdivision.

(f) In making any findings or determinations under this section, a local agency, or designated advisory agency, may work in conjunction with the project applicant and the public water system to secure water supplies sufficient to satisfy the demands of the proposed subdivision. If the local agency secures water supplies pursuant to this subdivision, which supplies are acceptable to and approved by the governing body of the public water system as suitable for delivery to customers, it shall work in conjunction with the public water system to implement a plan to deliver that water supply to satisfy the long-term demands of the proposed subdivision.

(g) The written verification prepared under this section shall also include a description, to the extent that data is reasonably available based on published records maintained by federal and state agencies, and public records of local agencies, of the reasonably foreseeable impacts of the proposed subdivision on the availability of water resources for agricultural and industrial uses within the public water system's service area that are not currently receiving water from the public water system but are utilizing the same sources of water. To the extent that those reasonably foreseeable impacts have previously been evaluated in a document prepared pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) or the National Environmental Policy Act (Public Law 91-190) for the proposed subdivision, the public water system may utilize that information in preparing the written verification.

(h) Where a water supply for a proposed subdivision includes groundwater, the public water system serving the proposed subdivision shall evaluate, based on substantial evidence, the extent to which it or the landowner has the right to extract the additional groundwater needed to supply the proposed subdivision. Nothing in this subdivision is intended to modify state law with regard to groundwater rights.

(i) This section shall not apply to any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where the immediate contiguous properties surrounding the residential project site are, or previously have been, developed for urban uses, or housing projects that are exclusively for very low and low-income households.

(j) The determinations made pursuant to this section shall be consistent with the obligation of a public water system to grant a priority for the provision of available and future water resources or services to proposed housing developments that help meet the city's or county's share of the regional housing needs for lower income households, pursuant to Section 65589.7.

(k) The County of San Diego shall be deemed to comply with this section if the Office of Planning and Research determines that all of the following conditions have been met:

(1) A regional growth management strategy that provides for a comprehensive regional strategy and a coordinated economic development and growth management program has been developed pursuant to Proposition C as approved by the voters of the County of San Diego in November 1988, which required the development of a regional growth management plan and directed the establishment of a regional planning and growth management review board.

(2) Each public water system, as defined in Section 10912 of the Water Code, within the County of San Diego has adopted an urban water management plan pursuant to Part 2.6 (commencing with Section 10610) of the Water Code.

(3) The approval or conditional approval of tentative maps for subdivisions, as defined in this section, by the County of San Diego and the cities within the county requires written communications to be made by the public water system to the city or county, in a format and with content that is substantially similar to the requirements contained in this section, with regard to the availability of a sufficient water supply, or the reliance on projected water supplies to provide a sufficient water supply, for a proposed subdivision.

(l) Nothing in this section shall preclude the legislative body of a city or county, or the designated advisory agency, at the request of the applicant, from making the determinations required in this section earlier than required pursuant to subdivision (b).

(m) Nothing in this section shall be construed to create a right or entitlement to water service or any specific level of water service.

(n) Nothing in this section is intended to change existing law concerning a public water system's obligation to provide water service to its existing customers or to any potential future customers.

(o) Any action challenging the sufficiency of the public water system's written verification of a sufficient water supply shall be governed by Section 66499.37.

(Amended by Stats. 2016, Ch. 594, Sec. 1. (SB 1262) Effective January 1, 2017.)

APPENDIX C

**CALIFORNIA WATER CODE SECTION 10910
(SENATE BILL NO. 610, AS AMENDED)**

State of California

WATER CODE

Section 10910

10910. (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.

(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system whose service area includes the project site and any water system adjacent to the project site that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with any entity serving domestic water supplies whose service area includes the project site, the local agency formation commission, and any public water system adjacent to the project site.

(c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).

(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).

(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.

(d) (1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.

(2) An identification of existing water supply entitlements, water rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:

(A) Written contracts or other proof of entitlement to an identified water supply.

(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.

(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.

(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(e) If no water has been received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts, the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall also include in its water supply assessment pursuant to subdivision (c), an identification of the other public water systems or water service contractholders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has identified as a source of water supply within its water supply assessments.

(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:

(1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.

(2) (A) A description of any groundwater basin or basins from which the proposed project will be supplied.

(B) For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city

or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree.

(C) For a basin that has not been adjudicated that is a basin designated as high- or medium-priority pursuant to Section 10722.4, information regarding the following:

(i) Whether the department has identified the basin as being subject to critical conditions of overdraft pursuant to Section 12924.

(ii) If a groundwater sustainability agency has adopted a groundwater sustainability plan or has an approved alternative, a copy of that alternative or plan.

(D) For a basin that has not been adjudicated that is a basin designated as low- or very low priority pursuant to Section 10722.4, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project. A water supply assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by subparagraph (D) of paragraph (4) of subdivision (b) of Section 10631.

(g) (1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.

(2) Prior to the expiration of the 90-day period, if the public water system intends to request an extension of time to prepare and adopt the assessment, the public water

system shall meet with the city or county to request an extension of time, which shall not exceed 30 days, to prepare and adopt the assessment.

(3) If the public water system fails to request an extension of time, or fails to submit the assessment notwithstanding the extension of time granted pursuant to paragraph (2), the city or county may seek a writ of mandamus to compel the governing body of the public water system to comply with the requirements of this part relating to the submission of the water supply assessment.

(h) Notwithstanding any other provision of this part, if a project has been the subject of a water supply assessment that complies with the requirements of this part, no additional water supply assessment shall be required for subsequent projects that were part of a larger project for which a water supply assessment was completed and that has complied with the requirements of this part and for which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has concluded that its water supplies are sufficient to meet the projected water demand associated with the proposed project, in addition to the existing and planned future uses, including, but not limited to, agricultural and industrial uses, unless one or more of the following changes occurs:

(1) Changes in the project that result in a substantial increase in water demand for the project.

(2) Changes in the circumstances or conditions substantially affecting the ability of the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), to provide a sufficient supply of water for the project.

(3) Significant new information becomes available that was not known and could not have been known at the time when the assessment was prepared.

(i) For the purposes of this section, hauled water is not considered as a source of water.

(Amended by Stats. 2018, Ch. 15, Sec. 19. (AB 1668) Effective January 1, 2019.)

APPENDIX D

**DETERMINATION OF WATER DEMAND FOR
RIO VISTA SPECIFIC PLAN PROJECT**



Draft Water Supply Assessment Río Vista

| WATER DEMAND DETERMINATION | | | | | | | | | |
|--|--|----------------------|---------------------------------|------------------|---------------------------------------|----------------------------|---------------------------------------|---------------------------|----------------------------|
| RESIDENTIAL | | | | | | | | | |
| PA | LAND USE | ACRES ⁽⁵⁾ | TARGET DUs ⁽¹⁾ | MAXIMUM DUs | TARGET DENSITY ⁽¹⁾ | MAX DENSITY ⁽¹⁾ | DUTY FACTOR ⁽⁶⁾ (AF/yr/DU) | TARGET ANNUAL USE (AF/yr) | MAXIMUM ANNUAL USE (AF/yr) |
| 1 | Medium Density Residential (MDR) | 24.9 | 113 | 125 | 4.5 | 5 | 0.6 | 67.80 | 74.70 |
| 2 | Medium Density Residential (MDR) | 22.7 | 107 | 114 | 4.7 | 5 | 0.6 | 64.20 | 68.10 |
| 3 | Medium-High Density Residential (MHDR) | 19.4 | 149 | 155 | 7.7 | 8 | 0.4 | 59.60 | 62.08 |
| 4 | High Density Residential (HDR) | 18.2 | 225 | 255 | 12.4 | 14 | 0.3 | 67.50 | 76.44 |
| 5 | High Density Residential (HDR) | 13.3 | 116 | 186 | 8.7 | 14 | 0.3 | 34.80 | 55.86 |
| 6 | High Density Residential (HDR) | 27.1 | 258 | 379 | 9.5 | 14 | 0.2 | 51.60 | 75.88 |
| 7 | Medium Density Residential (MDR) | 11.1 | 45 | 56 | 4.1 | 5 | 0.6 | 27.00 | 33.30 |
| 8 | Medium-High Density Residential (MHDR) | 39.6 | 259 | 317 | 6.5 | 8 | 0.4 | 103.60 | 126.72 |
| 9 | Highest Density Residential (HHDR) | 21.7 | 420 | 543 | 19.4 | 25 | 0.2 | 84.00 | 108.50 |
| 10 | Very Low Density Residential (VLDR) | 2.6 | 2 | 3 | 0.8 | 1 | 0.6 | 1.20 | 1.56 |
| 11 | Very Low Density Residential (VLDR) | 3.8 | 3 | 4 | 0.8 | 1 | 0.6 | 1.80 | 2.28 |
| RESIDENTIAL SUBTOTAL | | 204.4 | 1,697 | 2,135 | --- | -- | -- | 563.10 | 685.42 |
| LIGHT INDUSTRIAL AND BUSINESS PARK | | | | | | | | | |
| PA | LAND USE | ACRES ⁽⁵⁾ | TARGET BUILDING (SQ. FEET (SF)) | FLOOR AREA RATIO | DUTY FACTOR ⁽⁶⁾ (AF/yr/Ac) | TARGET ANNUAL USE (AF/yr) | MAXIMUM ANNUAL USE (AF/yr) | | |
| 12 | Light Industrial (LI) | 38.1 | 1,269,774 | 0.5 | 2.2 | 83.82 | 83.82 | | |
| 13 | Light Industrial (LI) | 20.2 | | | 2.2 | 44.44 | 44.44 | | |
| 14 | Business Park (BP) | 31.9 | 1,428,768 | 0.4 | 1.1 | 35.09 | 35.09 | | |
| 15 | Business Park (BP) | 32.1 | | | 1.1 | 35.31 | 35.31 | | |
| 16 | Business Park (BP) | 18.0 | | | 1.1 | 19.8 | 19.8 | | |
| LIGHT INDUSTRIAL AND BUSINESS PARK SUBTOTAL | | 140.3 | 3,289,216 | -- | -- | 218.46 | 218.46 | | |





Draft Water Supply Assessment Río Vista

| WATER DEMAND DETERMINATION | | | | | | | | | |
|----------------------------|--|----------------------|---------------------------|-------------|-------------------------------|------------------------------|---------------------------------------|---------------------------|----------------------------|
| OTHER | | | | | | | | | |
| PA | LAND USE | ACRES ⁽⁵⁾ | TARGET DUs ⁽¹⁾ | MAXIMUM DUs | TARGET DENSITY ⁽¹⁾ | DENSITY RANGE ⁽¹⁾ | DUTY FACTOR ⁽⁷⁾ (AF/yr/Ac) | TARGET ANNUAL USE (AF/yr) | MAXIMUM ANNUAL USE (AF/yr) |
| 17 | Public Facility – Water Tanks (PF) | 1.4 | -- | -- | -- | -- | 1.68 | 2.4 | 2.4 |
| 18 | Public Facility – School (PF) ⁽²⁾ | 13.4 | 56 | 56 | 3.8 | -- | 2 | 26.8 | 33.6 |
| 19 | Community Park (OS-R) ⁽³⁾ | 14.3 | -- | -- | -- | -- | 1.68 | 24.0 | 24.0 |
| 20 | Open Space – Water (Basin) (OS-W) | 9.0 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| 21A | Open Space (OS-C) ⁽⁴⁾ | 26.0 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| 21B | Open Space (OS-C) ⁽⁴⁾ | 46.9 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| 21C | Open Space (OS-C) ⁽⁴⁾ | 63.7 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| 21D | Open Space (OS-C) ⁽⁴⁾ | 27.7 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| 21E | Open Space (OS-C) ⁽⁴⁾ | 346.5 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| | Circulation | 19.6 | -- | -- | -- | -- | 0 | 0.0 | 0.0 |
| | OTHER SUBTOTAL | 567.9 | 56 | N/A | 0.1 | -- | -- | 53.2 | 60.0 |





Draft Water Supply Assessment Río Vista

| WATER DEMAND DETERMINATION | | | | | | | | |
|----------------------------|--------------|---------------------------|--------------|-------------------------------|------------------------------|----|---------------------------|----------------------------|
| | ACRES | TARGET DUs ⁽¹⁾ | MAXIMUM DUs | TARGET DENSITY ⁽¹⁾ | DENSITY RANGE ⁽¹⁾ | -- | TARGET ANNUAL USE (AF/yr) | MAXIMUM ANNUAL USE (AF/yr) |
| PROJECT TOTALS | 917.3 | 1,697 | 1,956 | 1.8 | -- | -- | 834.74 | 963.86 |

NOTES:

- (1) Dwelling Unit (DU) count by Planning Area (PA) is approximate and may vary from PA to PA and may increase or decrease by up to 15% provided that the overall DUs in RIO VISTA do not exceed the Target 1,697 DUs. The target density of each PA may increase or decrease provided that the target density remains below the maximum density of the land use designation.
- (2) The potential School Site in PA 19 may be developed with a Medium Density Residential use with a maximum of 56 DUs, if the School District does not purchase school site by the buildout of the 800th residential unit (Section II.A.1.C.). In response to market demands, non-residential uses (mixed use, office, commercial, religious) may be developed in PA 19 subject to a Conditional Use Permit.
- (3) Park acreage is approximate and may be larger or smaller provided that the overall park acreage in RIO VISTA meets or exceeds City of Jurupa Valley park requirements of 3-acres per 1,000 population.
- (4) Open Space - Conservation includes natural areas, common areas, landscaped slopes, conservation areas, and Southern California Edison easement.
- (5) Acreage is approximate - exact acreage will be defined through future implementing tract map(s).
- (6) Duty Factor based on duty factors set forth in RCSD 2015 Water Facilities Master Plan.
- (7) Duty Factor based on duty factors set forth in "Rio Vista Development - Updated Water and Sewer Facilities Report," by Albert A. Webb Associates (2008).



APPENDIX E

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF RIVERSIDE
JUDGMENT 78426
(1969 JUDGMENT)**

FILED
RIV. COUNTY

APR 17 1969

DONALD D. [Signature], Clerk
By [Signature] Deputy

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF RIVERSIDE

WESTERN MUNICIPAL WATER DISTRICT OF
RIVERSIDE COUNTY, a municipal water
district; CITY OF RIVERSIDE, a
municipal corporation; THE GAGE
CANAL COMPANY, a corporation; AGUA
MANSA WATER COMPANY, a corporation,
MEEKS & DALEY WATER COMPANY, a
corporation; RIVERSIDE HIGHLAND
WATER COMPANY, a corporation, and
THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Plaintiffs,

-vs-

(A) EAST SAN BERNARDINO COUNTY
WATER DISTRICT, et al.,

Defendants

784726
No. 784726
JBR
4/17/69

JUDGMENT

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| 20 | XVII | Costs | 31 |
| 21 | APPENDIX A -- | Map showing San Bernardino Basin Area, Colton Basin Area, and Riverside Basin Area situated within San Bernardino County; Riverside Basin Area within Riverside County; Bunker Hill Dike; Riverside Narrows; and | |
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Boundaries of San Bernardino
Valley Municipal Water
District & Western Municipal
Water District of Riverside
County

APPENDIX B -- Extractions by Plaintiffs from San
Bernardino Basin Area.

APPENDIX C -- Exports for Use on Lands not
Tributary to Riverside Narrows

APPENDIX D -- Miscellaneous Data

RECITALS

1
2
3 (a) Complaint. The complaint in this action was
4 filed by certain parties exporting water from the area defined
5 herein as the San Bernardino Basin Area for use within Western,
6 and sought a general adjudication of water rights.

7 (b) Orange County Water District Action.
8 Subsequently the Orange County Water District filed an action
9 for the adjudication of the water rights of substantially all
10 water users in the area tributary to Prado Dam in the Santa
11 Ana River Watershed. A decree of physical solution has been
12 entered in such action whereby individual water users were
13 dismissed, and San Bernardino Valley and Western assumed
14 responsibility for the deliveries of certain flows at Riverside
15 Narrows and Prado respectively.

16 (c) Physical Solution. The Judgment herein will
17 further implement the physical solution in the Orange County
18 Water District action, as well as determine the rights of
19 the hereinafter named Plaintiffs to extract water from the San
20 Bernardino Basin Area, and provide for replenishment of the
21 area above Riverside Narrows. Such Judgment is fair and
22 equitable, in the best interests of the parties, and in
23 furtherance of the water policy of the State. San Bernardino
24 Valley has the statutory power and resources to effectuate
25 this Judgment and accordingly the other defendants may be
26 dismissed.

27 (d) Stipulation. The parties named herein through
28 their respective counsel have proposed and filed a written
29 stipulation agreeing to the making and entry of this Judgment.
30 By reason of such stipulation, and good cause appearing
31
32

1 therefor,

2

3

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

4

5

I

6

ACTIVE PARTIES

7

8

(a) The parties to this Judgment are as follows:

9

(1) Plaintiff Western Municipal Water District of Riverside County, a California municipal water district, herein often called "Western", appearing and acting pursuant to Section 71751 of the Water Code;

10

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14

(2) Plaintiff City of Riverside, a municipal corporation;

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18

(3) Plaintiffs Riverside Highland Water Company, Agua Mansa Water Company and Meeks & Daley Water Company, each of which is a mutual water company and a California corporation;

19

20

21

(4) Plaintiff The Regents of the University of California, a California public corporation;

22

23

24

(5) Defendant San Bernardino Valley Municipal Water District, a California municipal water district, herein often called "San Bernardino Valley", appearing and acting pursuant to Section 71751 of the Water Code;

25

26

27

(b) This Judgment shall inure to the benefit of, and be binding upon, the successors and assigns of the parties.

28

II

29

DISMISSED PARTIES

30

31

All parties other than those named in the preceding Paragraph I are dismissed without prejudice.

32

1 III
2 PRIOR JUDGMENTS
3

4 (a) The Judgment dated and entered on May 13, 1959,
5 in that certain action filed in the Superior Court of the
6 State of California in and for the County of San Bernardino,
7 entitled and numbered "San Bernardino Valley Water
8 Conservation District, a State Agency, Plaintiff v. Riverside
9 Water Company, a corporation, et al., Defendants", No. 97031,
10 is superseded effective January 1, 1971, and for so long as
11 this Judgment remains in effect as to any party hereto that was
12 a party to that action, and as to any party hereto that is a
13 successor in interest to the rights determined in that action.

14 (b) The Judgment dated June 23, 1965, and entered
15 on April 21, 1966, in that certain action filed in the Superior
16 Court of the State of California in and for the County of San
17 Bernardino entitled and numbered "San Bernardino Valley Water
18 Conservation District, a State Agency, Plaintiff, v. Riverside
19 Water Company, a corporation, et al., Defendants," No. 111614,
20 is superseded effective January 1, 1971, and for so long as
21 this Judgment remains in effect as to any party hereto that was
22 a party to that action, and as to any party hereto that is a
23 successor in interest to any rights determined in that action.

24 (c) As used in this Paragraph III only, "party"
25 includes any person or entity which stipulates with the parties
26 hereto to accept this Judgment.
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IV

DEFINITIONS

The following ground water basins and tributary areas are situated within the Santa Ana River watershed upstream from Riverside Narrows and are tributary thereto, and their approximate locations and boundaries for purposes of this Judgment are shown upon the map attached hereto as Appendix "A": San Bernardino Basin Area (the area above Bunker Hill Dike, but excluding certain mountainous regions and the Yucaipa, San Timoteo, Oak Glen and Beaumont Basins); Colton Basin Area, Riverside Basin Area within San Bernardino County, and Riverside Basin Area within Riverside County.

As used herein the following terms shall have the meanings herein set forth:

(a) Bunker Hill Dike - The San Jacinto Fault, located approximately as shown on Appendix "A", and forming the principal downstream boundary of the San Bernardino Basin Area.

(b) Riverside Narrows - That bedrock narrows in the Santa Ana River indicated on Appendix "A".

(c) Extractions - Any form of the verb or noun shall include pumping, diverting, taking or withdrawing water, either surface or subsurface, by any means whatsoever, except extractions for hydroelectric generation to the extent that such flows are returned to the stream, and except for diversions for replenishment.

(d) Natural Precipitation - Precipitation which falls naturally in the Santa Ana River watershed.

(e) Imported Water - Water brought into the Santa Ana River watershed from sources of origin outside such watershed.

1 (f) Replenishment - Artificial recharge of the
2 ground water body achieved through the spreading or retention of
3 water for the purpose of causing it to percolate and join the
4 underlying ground water body, or injection of water into the
5 ground water resources by means of wells; provided that as used
6 with reference to any obligation of Western to replenish the
7 Riverside Basin Area in Riverside County, the term replenishment
8 shall include any water caused to be delivered by Western for
9 which credit is received by San Bernardino Valley against its
10 obligation under the Orange County Judgment to provide base
11 flow at Riverside Narrows.

12 (g) Safe Yield - Safe yield is that maximum
13 average annual amount of water that could be extracted from the
14 surface and subsurface water resources of an area over a period
15 of time sufficiently long to represent or approximate long-time
16 mean climatological conditions, with a given areal pattern of
17 extractions, under a particular set of physical conditions or
18 structures as such affect the net recharge to the ground water
19 body, and with a given amount of usable underground storage
20 capacity, without resulting in long-term, progressive lowering
21 of ground water levels or other undesirable result. In
22 determining the operational criteria to avoid such adverse
23 results, consideration shall be given to maintenance of adequate
24 ground water quality, subsurface outflow, costs of pumping,
25 and other relevant factors.

26 The amount of safe yield is dependent in part upon
27 the amount of water which can be stored in and used from the
28 ground water reservoir over a period of normal water supply
29 under a given set of conditions. Safe yield is thus related to
30 factors which influence or control ground water recharge, and
31

1 to the amount of storage space available to carry over recharge
2 occurring in years of above average supply to years of
3 deficient supply. Recharge, in turn, depends on the available
4 surface water supply and the factors influencing the
5 percolation of that supply to the water table.

6 Safe yield shall be determined in part through the
7 evaluation of the average net groundwater recharge which would
8 occur if the culture of the safe yield year had existed over
9 a period of normal native supply.

10 (h) Natural Safe Yield - That portion of the safe
11 yield of the San Bernardino Basin Area which could be derived
12 solely from natural precipitation in the absence of imported
13 water and the return flows therefrom, and without
14 contributions from new conservation. If in the future any
15 natural runoff tributary to the San Bernardino Basin Area is
16 diverted away from that Basin Area so that it is not included
17 in the calculation of natural safe yield, any replacement made
18 thereof by San Bernardino Valley or entities within it from
19 imported water shall be included in such calculation.

20 (i) New Conservation - Any increase in
21 replenishment from natural precipitation which results from
22 operation of works and facilities not now in existence, other
23 than those works installed and operations which may be
24 initiated to offset losses caused by increased flood control
25 channelization.

26 (j) Year - A calendar year from January 1 through
27 December 31. The term "annual" shall refer to the same period
28 of time.

29 (k) Orange County Judgment - The final judgment
30 in Orange County Water District v. City of Chino, et al.,
31 Orange County Superior Court No. 117628, as it may from time to
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time be modified.

(l) Return Flow - That portion of the water applied for use in any particular ground water basin which subsequently reaches the ground water body in that basin.

(m) Five Year Period - a period of five consecutive years.

V

EXTRACTIONS FROM THE SAN BERNARDINO BASIN AREA

(a) For Use by Plaintiffs. The average annual extractions from the San Bernardino Basin Area delivered for use in each service area by each Plaintiff for the five year period ending with 1963 are hereby determined to be as set forth in Table B-1 of Appendix "B". The amount for each such Plaintiff delivered for use in each service area as set forth in Table B-1 shall be designated, for purposes of this Judgment, as its "base right" for such service area.

(b) For Use by Others. The total actual average annual extractions from the San Bernardino Basin Area by entities other than Plaintiffs for use within San Bernardino County for the five year period ending with 1963 are assumed to be 165,407 acre feet; the correct figure shall be determined by the Watermaster as herein provided.

VI

SAN BERNARDINO BASIN AREA RIGHTS AND REPLENISHMENT

(a) Determination of Natural Safe Yield. The natural safe yield of the San Bernardino Basin Area shall be computed by the Watermaster, reported to and determined initially by supplemental order of this Court, and thereafter

1 shall be subject to the continuing jurisdiction thereof.

2 (b) Annual Adjusted Rights of Plaintiffs.

3 1. The annual "adjusted right" of each
4 Plaintiff to extract water from the San Bernardino
5 Basin Area for use in each service area designated
6 in Table B-1 shall be equal to the sum of the
7 following:

8 (a) its base right for such service area, until
9 the natural safe yield of the San Bernardino Basin
10 Area is determined, and thereafter its percentage
11 of such natural safe yield determined by the
12 methods used in Table B-2; and (b) an equal
13 percentage for each service area of any new
14 conservation, provided the conditions of the
15 subparagraph 2 below have been met.

16 2. In order that the annual adjusted
17 right of each such Plaintiff shall include its
18 same respective percentage of any new conservation,
19 such Plaintiff shall pay its proportionate share
20 of the costs thereof: Each Plaintiff shall have
21 the right to participate in new conservation projects,
22 under procedures to be determined by the Watermaster
23 for notice to Plaintiffs of the planned construction
24 of such projects. With respect to any new
25 conservation brought about by Federal installations,
26 the term "costs" as used herein shall refer to any
27 local share required to be paid in connection with
28 such project. Each Plaintiff shall make its
29 payment at times satisfactory to the constructing
30 agency, and new conservation shall be credited to
31 any participating Plaintiff as such conservation is
32 effected.

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3. In any five year period, each Plaintiff shall have the right to extract from the San Bernardino Basin Area for use in each service area designated in Table B-1 an amount of water equal to five times its adjusted right for such service area; provided, however, that extractions by each Plaintiff in any year in any service area shall not exceed such Plaintiff's adjusted right for that service area by more than 30 percent.

4. If the natural safe yield of the San Bernardino Basin Area has not been determined by January 1, 1972, the initial determination thereof shall be retroactive to that date and the rights of the Plaintiffs, and the replenishment obligation of San Bernardino Valley as hereinafter set forth, shall be adjusted as of such date. Any excess extractions by Plaintiffs shall be charged against their respective adjusted rights over the next five year period, or in the alternative, Plaintiffs may pay to San Bernardino Valley the full cost of any replenishment which it has provided as replenishment for such excess extractions. Any obligation upon San Bernardino Valley to provide additional replenishment, by virtue of such retroactive determination of natural safe yield, may also be discharged over such next five year period.

5. Plaintiffs and each of them and their agents and assigns are enjoined from extracting any more water from the San Bernardino Basin Area than is permitted under this Judgment. Changes in place

1 of use of any such water from one service area to
2 another shall not be made without the prior
3 approval of Court upon a finding of compliance
4 with Paragraph XV(b) of this Judgment. So long
5 as San Bernardino Valley is in compliance with all
6 its obligations hereunder, and Plaintiffs are
7 allowed to extract the water provided for in this
8 Judgment, Plaintiffs are further enjoined from
9 bringing any action to limit the water extracted
10 from the San Bernardino Basin Area for use within
11 San Bernardino Valley.

12 6. Nothing in this Judgment shall
13 prevent future agreements between San Bernardino
14 Valley and Western under which additional
15 extractions may be made from the San Bernardino Basin
16 Area, subject to the availability of imported water
17 not required by San Bernardino Valley, and subject
18 to payment satisfactory to San Bernardino Valley
19 for replenishment required to compensate for such
20 additional extractions.

21
22 (c) San Bernardino Valley Replenishment. San
23 Bernardino Valley shall provide imported water for
24 replenishment of the San Bernardino Basin Area at least equal
25 to the amount by which extractions therefrom for use within
26 San Bernardino County exceed during any five year period the
27 sum of: (a) five times the total average annual extractions
28 determined under Paragraph V(b) hereof, adjusted as may be
29 required by the natural safe yield of the San Bernardino Basin
30 Area; and (b) any new conservation to which users within San
31 Bernardino Valley are entitled. Such replenishment shall be

1 supplied in the year following any five year period; provided
2 that during the first five year period, San Bernardino Valley
3 shall supply annual amounts on account of its obligations
4 hereunder, and such amounts shall be not less than fifty
5 percent of the gross amount of excess extractions in the
6 previous year.

7 1. Against its replenishment obligation
8 over any five year period San Bernardino Valley shall
9 receive credit for that portion of such excess
10 extractions that returns to the ground water of the
11 San Bernardino Basin Area.

12 2. San Bernardino Valley shall also
13 receive credit against any future replenishment
14 obligations for all replenishment which it provides
15 in excess of that required herein, and for any
16 amounts which may be extracted without replenishment
17 obligation, which in fact are not extracted.

18 (d) In this subparagraph (d), "person" and "entity"
19 mean only those persons and entities, and their successors
20 in interest, which have stipulated with the parties to this
21 Judgment within six months after its entry to accept this
22 Judgment.

23 San Bernardino Valley agrees that the base rights of
24 persons or entities other than Plaintiffs to extract water
25 from the San Bernardino Basin Area for use within San
26 Bernardino Valley will be determined by the average annual
27 quantity extracted by such person or entity during the five
28 year period ending with 1963. After the natural safe yield
29 of the San Bernardino Basin Area is determined hereunder, such
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1 base rights will be adjusted to such natural safe yield; the
2 adjusted right of each such person or entity shall be that
3 percentage of natural safe yield as determined hereunder from
4 time to time which the unadjusted right of such person or
5 entity is of the amount determined under Paragraph V(b).

6 San Bernardino Valley further agrees that in the
7 event the right to extract water of any of such persons or
8 entities in the San Bernardino Basin Area is adjudicated and
9 legal restrictions placed on such extractions which prevent
10 extracting of water by said persons or entities in an amount
11 equal to their base rights, or after natural safe yield is
12 determined, their adjusted rights, San Bernardino Valley will
13 furnish to such persons or entities or recharge the ground
14 water resources in the area of extraction for their benefit
15 with imported water, without direct charge to such persons or
16 entities therefor, so that the base rights, or adjusted
17 rights, as the case may be, may be taken by the person or
18 entity.

19 Under the provisions hereof relating to furnishing
20 of such water by San Bernardino Valley, such persons or
21 entities shall be entitled to extract in addition to their
22 base rights or adjusted rights any quantities of water spread
23 for repumping in their area of extractions, which has been
24 delivered to them by a mutual water company under base rights
25 or adjusted base rights included by the Watermaster under the
26 provisions of Paragraph V (b) hereof. Extractions must be
27 made within three years of spreading to so qualify.

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VII

WATER DISCHARGED ACROSS THE BUNKER HILL DIKE

San Bernardino Valley shall keep in force an agreement with the City of San Bernardino that the present annual quantity of municipal sewage effluent discharged across Bunker Hill Dike, assumed for all purposes herein to be 16,000 acre feet annually, shall be committed to the discharge of the downstream obligations imposed on San Bernardino Valley under this Judgment or under the Orange County Judgment, and that such effluent shall comply with the requirements of the Santa Ana River Basin Regional Water Quality Control Board in effect December 31, 1968.

VIII

EXTRACTIONS FROM COLTON BASIN AREA AND RIVERSIDE BASIN AREA IN SAN BERNARDINO COUNTY.

(a) The average annual extractions from the Colton Basin Area and that portion of the Riverside Basin Area within San Bernardino County, for use outside San Bernardino Valley, for the five year period ending with 1963 are assumed to be 3,349 acre feet and 20,191 acre feet, respectively; the correct figures shall be determined by the Watermaster as herein provided.

(b) Over any five year period, there may be extracted from each such Basin Area for use outside San Bernardino Valley, without replenishment obligation, an amount equal to five times such annual average for the Basin Area; provided, however, that if extractions in any year exceed such average by more than 20 percent, Western shall provide replenishment in the following year equal to the excess

1 extractions over such 20 percent peaking allowance.

2 (c). To the extent that extractions from each such
3 Basin Area for use outside San Bernardino Valley exceed the
4 amounts specified in the next preceding Paragraph (b), Western
5 shall provide replenishment. Except for any extractions in
6 excess of the 20 percent peaking allowance, such replenishment
7 shall be supplied in the year following any five year period,
8 and shall not be from reclaimed water produced within San
9 Bernardino Valley. Such replenishment shall also be of a
10 quality at least equal to the water extracted from the Basin
11 Area being recharged; provided, that water from the State Water
12 Project shall be deemed to be of acceptable quality.
13 Replenishment shall be supplied to the Basin Area from which
14 any excess extractions have occurred and in the vicinity of
15 the place of the excess extractions to the extent required to
16 preclude influence on the water level in the three wells below
17 designated; provided that discharge of imported water into the
18 Santa Ana River or Warm Creek from a connection on the State
19 Aqueduct near the confluence thereof, if released in accordance
20 with a schedule approved by the Watermaster to achieve
21 compliance with the objectives of this Judgment, shall satisfy
22 any obligation of Western to provide replenishment in the Colton
23 Basin Area, or that portion of the Riverside Basin Area in San
24 Bernardino County, or the Riverside Basin Area in Riverside
25 County.

26 (d) Extractions from the Colton Basin Area and that
27 portion of the Riverside Basin Area within San Bernardino County,
28 for use within San Bernardino Valley, shall not be limited.
29 However, except for any required replenishment by Western,
30 San Bernardino Valley shall provide the water to maintain the
31 static water levels in the area, as determined by wells numbered
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1 1S 4W 21 Q3, 1S 4W 29 H1, and 1S 4W 29 Q1 at an average level
2 no lower than that which existed in the Fall season of 1963.
3 Such 1963 average water level is hereby determined to be 822.04
4 feet above sea level. In future years, the level shall be
5 computed by averaging the lowest static water levels in each
6 of the three wells occurring at or about the same time of the
7 year, provided that no measurements will be used which reflect
8 the undue influence of pumping in nearby wells, or in the
9 three wells, or pumping from the Riverside Basin in Riverside
10 County in excess of that determined pursuant to Paragraph IX(a)
11 hereof.

12 (e) Extractions by Plaintiffs from the Colton Basin
13 Area and the portion of the Riverside Basin Area in San
14 Bernardino County may be transferred to the San Bernardino
15 Basin Area if the level specified in Paragraph (d) above is
16 not maintained, but only to the extent necessary to restore
17 such 1963 average water level, provided that Western is not
18 in default in any of its replenishment obligations. San
19 Bernardino Valley shall be required to replenish the San
20 Bernardino Basin Area in an amount equal to any extractions so
21 transferred. San Bernardino Valley shall be relieved of
22 responsibility toward the maintenance of such 1963 average water
23 level to the extent that Plaintiffs have physical facilities
24 available to accommodate such transfers of extractions, and
25 insofar as such transfers can be legally accomplished.

26 (f) The Colton Basin Area and the portion of the
27 Riverside Basin Area in San Bernardino County constitute a major
28 source of water supply for lands and inhabitants in both San
29 Bernardino Valley and Western, and the parties hereto have a
30 mutual interest in the maintenance of water quality in these
31 Basin Areas and in the preservation of such supply. If
32

1 the water quality in such Areas, as monitored by the City of
2 Riverside wells along the river, falls below the Objectives set
3 therefor by the Santa Ana River Basin Regional Water Quality
4 Control Board, the Court shall have jurisdiction to modify the
5 obligations of San Bernardino Valley to include, in addition
6 to its obligation to maintain the average 1963 water level,
7 reasonable provisions for the maintenance of such water quality.

8 (g) The primary objectives of Paragraph VIII and
9 related provisions are to allow maximum flexibility to San
10 Bernardino Valley in the operation of a coordinated
11 replenishment and management program, both above and below
12 Bunker Hill Dike; to protect San Bernardino Valley against
13 increased extractions in the area between Bunker Hill Dike and
14 Riverside Narrows, which without adequate provision for
15 replenishment might adversely affect base flow at Riverside
16 Narrows, for which it is responsible under the Orange County
17 Judgment; and to protect the area as a major source of ground
18 water supply available to satisfy the historic extractions
19 therefrom for use within Western, without regard to the method
20 of operation which may be adopted by San Bernardino Valley for
21 the San Bernardino Basin Area, and without regard to the effect
22 of such operation upon the historic supply to the area below
23 Bunker Hill Dike.

24 If these provisions should prove either inequitable or
25 unworkable, the Court upon the application of any party hereto
26 shall retain jurisdiction to modify this Judgment so as to
27 regulate the area between Bunker Hill Dike and Riverside Narrows
28 on a safe yield basis; provided that under such method of
29 operation, (1) base rights shall be determined on the basis of
30 total average annual extractions for use within San Bernardino
31 Valley and Western, respectively, for the five year period ending
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1 with 1963; (2) such base rights for use in both Districts shall
2 be subject to whatever adjustment may be required by the safe
3 yield of the area, and in the aggregate shall not be exceeded
4 unless replenishment therefor is provided; (3) in calculating
5 safe yield, the outflow from the area at Riverside Narrows shall
6 be determined insofar as practical by the base flow obligations
7 imposed on San Bernardino Valley under the Orange County
8 Judgment; and (4) San Bernardino Valley shall be required to
9 provide replenishment for any deficiency between the actual
10 outflow and the outflow obligation across Bunker Hill Dike as
11 established by safe yield analysis using the base period of
12 1934 through 1960.

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14 IX

15 EXTRACTIONS FROM THE PORTION OF RIVERSIDE BASIN AREA
16 IN RIVERSIDE COUNTY WHICH IS TRIBUTARY TO RIVERSIDE NARROWS.

17 (a) The average annual extractions from the portion
18 of the Riverside Basin Area in Riverside County which is
19 tributary to Riverside Narrows, for use in Riverside County,
20 for the five year period ending with 1963 are assumed to be
21 30,044 acre feet; the correct figures shall be determined by
22 the Watermaster as herein provided.

23 (b) Over any five year period, there may be
24 extracted from such Basin Area, without replenishment
25 obligation, an amount equal to five times such annual average
26 for the Basin Area; provided, however, that if extractions in
27 any year exceed such average by more than 20 percent, Western
28 shall provide replenishment in the following year equal to the
29 excess extractions over such 20 percent peaking allowance.

30 (c) To the extent that extractions from such Basin
31 Area exceed the amounts specified in the next preceding
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1 Paragraph (b), Western shall provide replenishment. Except
2 for any extractions in excess of the 20 percent peaking
3 allowance, such replenishment shall be supplied in the year
4 following any five year period, and shall be provided at or
5 above Riverside Narrows.

6 (d) Western shall also provide such replenishment
7 to offset any reduction in return flow now contributing to the
8 base flow at Riverside Narrows, which reduction in return
9 flow results from the conversion of agricultural uses of water
10 within Western to domestic or other uses connected to sewage
11 or waste disposal systems, the effluent from which is not
12 tributary to the rising water at Riverside Narrows.

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14 X

15 REPLENISHMENT TO OFFSET NEW EXPORTS OF WATER TO AREAS
16 NOT TRIBUTARY TO RIVERSIDE NARROWS.

17 Certain average annual amounts of water extracted
18 from the San Bernardino Basin Area and the area downstream
19 therefrom to Riverside Narrows during the five year period
20 ending in 1963 have been exported for use outside of the area
21 tributary to Riverside Narrows and are assumed to be 50,667
22 acre feet annually as set forth in Table C-1 of Appendix "C";
23 the correct amount shall be determined by the Watermaster as
24 herein provided. Western shall be obligated to provide
25 replenishment at or above Riverside Narrows for any increase
26 over such exports by Western or entities within it from such
27 areas for use within areas not tributary to Riverside Narrows.
28 San Bernardino Valley shall be obligated to provide
29 replenishment for any increase over the exports from San
30 Bernardino Valley for use in any area not within Western nor
31 tributary to Riverside Narrows as set forth in Table C-2 of
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1 Appendix. "C", such amounts being subject to correction by the
2 Watermaster, or for any exports from the San Bernardino Basin
3 Area for use in the Yucaipa, San Timoteo, Oak Glen and
4 Beaumont Basins.

5 XI

6 REPLENISHMENT CREDITS AND ADJUSTMENT FOR QUALITY

7
8 (a) All replenishment provided by Western under
9 Paragraph IX and all credits received against such
10 replenishment obligation shall be subject to the same adjustments
11 for water quality applicable to base flow at Riverside Narrows,
12 as set forth in the Orange County Judgment.

13 (b) Western shall receive credit against its
14 replenishment obligations incurred under this Judgment for the
15 following:

16 1. As against its replenishment obligation
17 under Paragraph VIII, any return flow to the Colton
18 Basin Area or the portion of the Riverside Basin Area
19 within San Bernardino County, respectively, resulting
20 from any excess extractions therefrom; and as
21 against its replenishment obligation under Paragraph
22 IX, any return flow to the portion of the Riverside
23 Basin Area in Riverside County, which contributes
24 to the base flow at Riverside Narrows, resulting
25 from any excess extractions therefrom, or from the
26 Riverside Basin Area in San Bernardino County, or
27 from the Colton Basin Area.

28 2. Subject to adjustment under
29 Paragraph (a) hereof, any increase over the present
30 amounts of sewage effluent discharged from
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1 treatment plants within Riverside County which are
2 tributary to Riverside Narrows, and which results
3 from the use of imported water.

4 3. Any replenishment which may be pro-
5 vided in excess of that required; any amounts which
6 hereunder are allowed to be extracted from the
7 Colton and Riverside Basin Areas without
8 replenishment obligation by Western, and which in
9 fact are not extracted; any storm flows conserved
10 between Bunker Hill Dike and Riverside Narrows by
11 works financed solely by Western, or entities within
12 it, which would not otherwise contribute to base
13 flow at Riverside Narrows; and any return flow
14 from imported water used in Riverside County which
15 contributes to base flow at Riverside Narrows;
16 provided, however, that such use of the underground
17 storage capacity in each of the above situations
18 does not adversely affect San Bernardino Valley
19 in the discharge of its obligations at Riverside
20 Narrows under the Orange County Judgment, nor
21 interfere with the accomplishment by San Bernardino
22 Valley of the primary objectives of Paragraph VIII,
23 as stated in Subdivision (g).

24 (c) The replenishment obligations of Western under
25 this Judgment shall not apply during such times as amounts of
26 base flow at Riverside Narrows and the amounts of water stored
27 in the ground water resources below Bunker Hill Dike and
28 tributary to the maintenance of such flow are found by Order of
29 the Court to be sufficient to satisfy any obligation which
30 San Bernardino Valley may have under this Judgment, or under the
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1 Orange County Judgment, and if the Court further finds by Order
2 that during such times any such increase in pumping, changes
3 in use or exports would not adversely affect San Bernardino
4 Valley in the future.

5 (d) The replenishment obligations of San Bernardino
6 Valley under Paragraph X of this Judgment for increase in
7 exports from the Colton and Riverside Basin Areas within San
8 Bernardino Valley below the Bunker Hill Dike shall not apply
9 during such times as the amounts of water in the ground water
10 resources of such area are found by Order of the Court to be
11 sufficient to satisfy the obligations which San Bernardino
12 Valley may have to Plaintiffs under this Judgment, and if the
13 Court further finds by Order that during such times any such
14 increases in exports would not adversely affect Plaintiffs in
15 the future.

16
17 XII

18 CONVEYANCE OF WATER BY SAN BERNARDINO VALLEY
19 TO RIVERSIDE NARROWS.

20 If San Bernardino Valley determines that it will
21 convey reclaimed sewage effluent, or other water, to or near
22 Riverside Narrows, to meet its obligations under this or the
23 Orange County Judgment, the City of Riverside shall make
24 available to San Bernardino Valley for that purpose any unused
25 capacity in the former Riverside Water Company canal, and the
26 Washington and Monroe Street storm drains, without cost except
27 for any alterations or capital improvements which may be
28 required, or any additional maintenance and operation costs which
29 may result. The use of those facilities shall be subject to the
30 requirements of the Santa Ana River Basin Regional Water Quality
31 Control Board and of the State Health Department, and compliance
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1 therewith shall be San Bernardino Valley's responsibility.

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XIII

WATERMASTER

(a) This Judgment and the instructions and subsequent orders of this Court shall be administered and enforced by a Watermaster. The parties hereto shall make such measurements and furnish such information as the Watermaster may reasonably require, and the Watermaster may verify such measurements and information and obtain additional measurements and information as the Watermaster may deem appropriate.

(b) The Watermaster shall consist of a committee of two persons. San Bernardino Valley and Western shall each have the right to nominate one of such persons. Each such nomination shall be made in writing, served upon the other parties to this Judgment, and filed in Court. Such person shall be appointed by and serve at the pleasure of and until further order of this Court. If either Western or San Bernardino Valley shall at any time nominate a substitute appointee in place of the last appointee to represent it, such appointee shall be appointed by the Court in place of such last appointee.

(c) Appendix "D" to this Judgment contains some of the data which have been used in preparation of this Judgment, and shall be utilized by the Watermaster in connection with any questions of interpretation.

(d) Each and every finding and determination of the Watermaster shall be made in writing certified to be by unanimous action of both members of the Watermaster committee. In the event of failure or inability of such Watermaster Committee to reach agreement, the Watermaster committee may determine to submit the dispute to a third person to be selected

1 by them, or if they are unable to agree on a selection, to be
2 selected by the Court, in which case the decision of the third
3 person shall be binding on the parties; otherwise the fact,
4 issue, or determination in question shall forthwith be
5 certified to this Court by the Watermaster, and after due notice
6 to the parties and opportunity for hearing, said matter shall
7 be determined by order of this Court, which may refer the
8 matter for prior recommendation to the State Water Resources
9 Control Board. Such order of the Court shall be a determination
10 by the Watermaster within the meaning of this Judgment.

11 (e) The Watermaster shall report to the Court and
12 to each party hereto in writing not more than seven (7) months
13 after the end of each year, or within such other time as the
14 Court may fix, on each determination made by it pursuant to this
15 Judgment, and such other items as the parties may mutually
16 request or the Watermaster may deem to be appropriate. All of
17 the books and records of the Watermaster which are used in the
18 preparation of, or are relevant to, such reported data,
19 determinations and reports shall be open to inspection by the
20 parties hereto. At the request of any party this Court will
21 establish a procedure for the filing and hearing of objections
22 to the Watermaster's report.

23 (f) The fees, compensation and expenses of each
24 person on the Watermaster shall be borne by the District which
25 nominated such person. All other Watermaster service costs and
26 expenses shall be borne by San Bernardino Valley and Western
27 equally.

28 (g) The Watermaster shall initially compute and
29 report to the Court the natural safe yield of the San Bernardino
30 Basin Area, said computation to be based upon the cultural
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1 conditions equivalent to those existing during the five
2 calendar year period ending with 1963.

3 (h) The Watermaster shall as soon as practical
4 determine the correct figures for Paragraphs V(b), VI(b)1,
5 VIII(a), IX(a) and X, as the basis for an appropriate
6 supplemental order of this Court.

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XIV

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CONTINUING JURISDICTION OF THE COURT

10 (a) The Court hereby reserves continuing
11 jurisdiction of the subject matter and parties to this Judgment,
12 and upon application of any party, or upon its own motion, may
13 review and redetermine, among other things, the following
14 matters and any matters incident thereto:

15 1. The hydrologic condition of any one or
16 all of the separate basins described in this Judgment in order
17 to determine from time to time the safe yield of the San
18 Bernardino Basin Area.

19 2. The desirability of appointing a
20 different Watermaster or a permanent neutral member of the
21 Watermaster, or of changing or more clearly defining the duties
22 of the Watermaster.

23 3. The desirability of providing for increases
24 or decreases in the extraction of any particular party because
25 of emergency requirements or in order that such party may
26 secure its proportionate share of its rights as determined
27 herein.

28 4. The adjusted rights of the Plaintiffs as
29 required to comply with the provisions hereof with respect to
30 changes in the natural safe yield of the San Bernardino Basin
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1 Area. If such changes occur, the Court shall adjudge that the
2 adjusted rights and replenishment obligations of each party
3 shall be changed proportionately to the respective base rights.

4 5. Conforming the obligations of San
5 Bernardino Valley under this Judgment to the terms of any new
6 judgment hereafter entered adjudicating the water rights within
7 San Bernardino Valley, if inconsistencies of the two judgments
8 impose hardship on San Bernardino Valley.

9 6. Adjusting the figures in Paragraphs V(b),
10 VI(b) 1, VIII(a) IX(a), and X, to conform to determination
11 by the Watermaster.

12 7. Credit allowed for return flow in the San
13 Bernardino Basin Area if water levels therein drop to the point
14 of causing undue hardship upon any party.

15 8. Other matters not herein specifically set
16 forth which might occur in the future and which would be
17 of benefit to the parties in the utilization of the surface and
18 ground water supply described in this Judgment, and not
19 inconsistent with the respective rights of the parties as herein
20 established and determined.

21 (b) Any party may apply to the Court under its
22 continuing jurisdiction for any appropriate modification of
23 this Judgment if its presently available sources of imported
24 water are exhausted and it is unable to obtain additional
25 supplies of imported water at a reasonable cost, or if there is
26 any substantial delay in the delivery of imported water through
27 the State Water Project.

SAVING CLAUSES

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4 (a) Nothing in this Judgment precludes San
5 Bernardino Valley, Western, or any other party from exercising
6 such rights as it may have or obtain under law to spread, store
7 underground and recapture imported water, provided that any
8 such use of the underground storage capacity of the San
9 Bernardino Basin Area by Western or any entity within it shall
10 not interfere with any replenishment program of the Basin Area.

11 (b) Changes in the place and kind of water use,
12 and in the transfer of rights to the use of water, may be made
13 in the absence of injury to others or prejudice to the
14 obligations of either San Bernardino Valley or Western under
15 Judgment or the Orange County Judgment.

16 (c) If any Plaintiff shall desire to transfer all or
17 any of its water rights to extract water within San Bernardino
18 Valley to a person, firm, or corporation, public or private,
19 who or which is not then bound by this Judgment, such Plaintiff
20 shall as a condition to being discharged as hereinafter pro-
21 vided cause such transferee to appear in this action and file
22 a valid and effective express assumption of the obligations
23 imposed upon such Plaintiff under this Judgment as to such
24 transferred water rights. Such appearance and assumption of
25 obligation shall include the filing of a designation of the
26 address to which shall be mailed all notices, requests,
27 objections, reports and other papers permitted or required by
28 the terms of this Judgment.

29 If any Plaintiff shall have transferred all of its
30 said water rights and each transferee not theretofore bound by
31 this Judgment as a Plaintiff shall have appeared in this action
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1 and filed a valid and effective express assumption of the
2 obligations imposed upon such Plaintiff under this Judgment as
3 to such transferred water rights, such transferring Plaintiff
4 shall thereupon be discharged from all obligations hereunder.
5 If any Plaintiff shall cease to own any rights in and to the water
6 supply declared herein and shall have caused the appearance and
7 assumption provided for in the third preceding sentence with
8 respect to each voluntary transfer, then upon application to
9 this Court and after notice and hearing such Plaintiff shall
10 thereupon be relieved and discharged from all further
11 obligations hereunder. Any such discharge of any Plaintiff
12 hereunder shall not impair the aggregate rights of defendant
13 San Bernardino Valley or the responsibility hereunder of the
14 remaining Plaintiffs or any of the successors.

15 (d) Non-use of any right to take water as provided
16 herein shall not result in any loss of the right. San
17 Bernardino Valley does not guarantee any of the rights set out
18 herein for Western and the other Plaintiffs as against the
19 claims of third parties not bound hereby. If Western or the
20 other Plaintiffs herein should be prevented by acts of third
21 parties within San Bernardino County from extracting the
22 amounts of water allowed them by this Judgment, they shall have
23 the right to apply to this Court for any appropriate relief,
24 including vacation of this Judgment, in which latter case all
25 parties shall be restored to their status prior to this
26 Judgment insofar as possible.

27 (e) Any replenishment obligation imposed hereunder
28 on San Bernardino Valley may be deferred until imported water
29 first is available to San Bernardino Valley under its contract
30 with the California Department of Water Resources and the
31

1 obligation so accumulated may be discharged in five
2 approximately equal annual installments thereafter.

3 (f) No agreement has been reached concerning the
4 method by which the cost of providing replenishment will be
5 financed, and no provision of this Judgment, nor its failure
6 to contain any provision, shall be construed to reflect any
7 agreement relating to the taxation or assessment of extractions.

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XVI

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EFFECTIVE DATE

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The provisions of Paragraphs III and V to XII of this
Judgment shall be in effect from and after January 1, 1971;
the remaining provisions are in effect immediately.

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XVII

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COSTS

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No party shall recover its costs herein as against
any other party.

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THE CLERK WILL ENTER THIS JUDGMENT FORTHWITH.

22

DATED: *April 17, 1969*

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ENTERED

26

John P. MacDonnell
JUDGE OF THE SUPERIOR COURT

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APR 17 1969

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JUDGMENT BOOK *124* PG *42*

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APPENDIX B
TABLE B-1

EXTRACTIONS BY PLAINTIFFS FROM THE SAN
 BERNARDINO BASIN AREA FOR AVERAGE OF 5-YEAR
 PERIOD ENDING WITH 1963

(All Values in Acre Feet)
Classified According to Service Area

| <u>Plaintiff</u> | <u>Total Extractions in San Bernardino Basin Area</u> | <u>Delivery to San Bernardino Basin Area</u> | <u>Delivery to Colton Basin Area & Riverside Basin Area in San Bernardino County</u> | <u>Delivery to Areas Outside San Bernardino Valley</u> |
|---|---|--|--|--|
| City of Riverside (including those rights acquired as successor to the Riverside Water Company and The Gage Canal Company) | 53,448 | 1462 | 1260 | 50,726 |
| Riverside High- Land Water Company | 4,399 | 0 | 2509 | 1,890 |
| Agua Mansa Water Company, and Meeks & Daley Water Company | 8,026 | 0 | 326 | 7,700 |
| The Regents of the University of California | 581 | 0 | 0 | 581 |
| Total | 66,454 | 1,462 | 4,095 | 60,897 |

APPENDIX B
TABLE B-2

PLAINTIFFS' PERCENTAGES OF BASE RIGHT
TO TOTAL PRODUCTION FROM SAN BERNARDINO
VALLEY BASIN AREA,
231,861 Acre Feet Annually,
For 5-Year Average Ending With 1963
Classified According to Service Area

| <u>Plaintiff</u> | <u>Delivery to San Bernardino Basin Area</u> | <u>Delivery to Colton Basin Area & Riverside Basin Area in San Bernardino County</u> | <u>Delivery to Areas Outside San Bernardino Valley</u> |
|--|--|--|--|
| City of Riverside (including those rights acquired as successor to the Riverside Water Company and The Gage Canal Company) | .630 | .543 | 21.878 |
| Riverside Highland Water Company | | 1.082 | 0.815 |
| Aqua Mansa Water Company, and Meeks & Daley Water Company | | .141 | 3.321 |
| The Regents of the University of California | | | 0.250 |
| <u>Total</u> | 1.630 | 1.766 | 26.264 |

APPENDIX C
TABLE C-1

EXTRACTIONS FOR USE WITHIN WESTERN
FROM
THE SAN BERNARDINO BASIN AREA, COLTON BASIN AREA,
AND THE RIVERSIDE BASIN AREA
FOR USE ON LANDS THAT ARE NOT TRIBUTARY
TO THE RIVERSIDE NARROWS FOR
AVERAGE OF FIVE-YEAR PERIOD ENDING IN 1963

| <u>Extractor</u> | <u>Five-Year</u> <u>Average</u> <u>Ac. Ft.</u> |
|---|--|
| City of Riverside, including Irrigation Division water extracted by Gage Canal Co. and former Riverside Water Co. | 30,657 |
| Meeks & Daley Water Co., Agua Mansa Water Co., and Temescal Water Co., including water received from City of Riverside | 13,731 |
| Extractions delivered by West Riverside Canal received from Twin Buttes Water Co., La Sierra Water Co., Agua Mansa Water Co., Salazar Water Co., West Riverside 350" Water Co., and Jurupa Water Co. | 5,712 |
| Rubidoux Community Services District | 531 |
| Jurupa Hills Water Co. | 36 |
| <u>TOTAL</u> | <u>50,667</u> |

APPENDIX D
TABLE D-1

EXTRACTIONS FROM SAN BERNARDINO BASIN AREA
FOR THE AVERAGE OF FIVE-YEAR PERIOD ENDING WITH 1963
FOR USE WITHIN SAN BERNARDINO COUNTY

(ALL VALUES IN ACRE FEET)

| <u>Basin</u> | <u>Five Year Avg.</u> <u>1959-63</u> |
|--|---|
| Beaumont | 10,064 |
| Big Bear | 1,171 |
| Borea Canyon | 91 |
| Bunker Hill | 181,600 |
| City Creek | 337 |
| Cook Canyon | 197 |
| Devil Canyon | 3,326 |
| Devil Creek | 42 |
| Lower Cajon | 2,090 |
| Little San Creek | 15 |
| Lytle | 29,364 |
| Mill Creek | 11,084 |
| Oak Glen | 935 |
| Plunge Creek | 1,265 |
| Santa Ana | 1,790 |
| Strawberry Creek | 291 |
| San Timoteo | 2,272 |
| Waterman Canyon | 367 |
| Yucaipa | <u>13,837</u> |
| Upper Basin Total | 260,139 |
| Less: Beaumont | |
| Oak Glen | |
| San Timoteo | 27,107 |
| Yucaipa | |
| Subtotal | <u>233,032</u> |
| Less Big Bear | <u>1,171</u> |
| Subtotal | 231,861 |
| Less extractions for use outside San Bernardino County | <u>60,897</u> |
| Extractions from San Bernardino for use in San Bernardino County | 170,964 |

APPENDIX D
TABLE D-2

EXTRACTIONS FROM
COLTON BASIN AREA FOR AVERAGE OF
FIVE-YEAR PERIOD ENDING WITH 1963
BY SAN BERNARDINO AND RIVERSIDE COUNTY ENTITIES
FOR USE WITHIN EACH COUNTY

(VALUES IN ACRE FEET)

| <u>Extractor</u> | <u>Place of Use</u> | | <u>Total</u> |
|-----------------------------------|---------------------------|----------------------|--------------|
| | <u>San Bernardino Co.</u> | <u>Riverside Co.</u> | |
| San Bernardino County Entities | 8,480 | 0 | 8,480 |
| Riverside County Entities | <u>147</u> | <u>3,349</u> | <u>3,496</u> |
| <u>TOTAL EXTRACTIONS</u> | 8,627 | 3,349 | 11,976 |

APPENDIX D
TABLE D-3

EXTRACTIONS FROM
RIVERSIDE BASIN AREA IN SAN BERNARDINO COUNTY
FOR AVERAGE FIVE-YEAR PERIOD ENDING WITH 1963
BY SAN BERNARDINO AND RIVERSIDE COUNTY ENTITIES
FOR USE WITHIN EACH COUNTY

(VALUES IN ACRE FEET)

| <u>Extractor</u> | <u>Place of Use</u> | | <u>Total</u> |
|-----------------------------------|---------------------------|----------------------|---------------|
| | <u>San Bernardino Co.</u> | <u>Riverside Co.</u> | |
| San Bernardino County Entities | 9,582 | 0 | 9,582 |
| Riverside County Entities | <u>3,929</u> | <u>20,191</u> | <u>24,120</u> |
| <u>TOTAL EXTRACTIONS</u> | 13,511 | 20,191 | 33,702 |

APPENDIX D
TABLE D-4

EXTRACTIONS FROM
SAN BERNARDINO BASIN AREA, COLTON BASIN AREA
AND RIVERSIDE BASIN AREA USED WITHIN
RIVERSIDE COUNTY FOR THE AVERAGE
FIVE-YEAR PERIOD ENDING WITH 1963

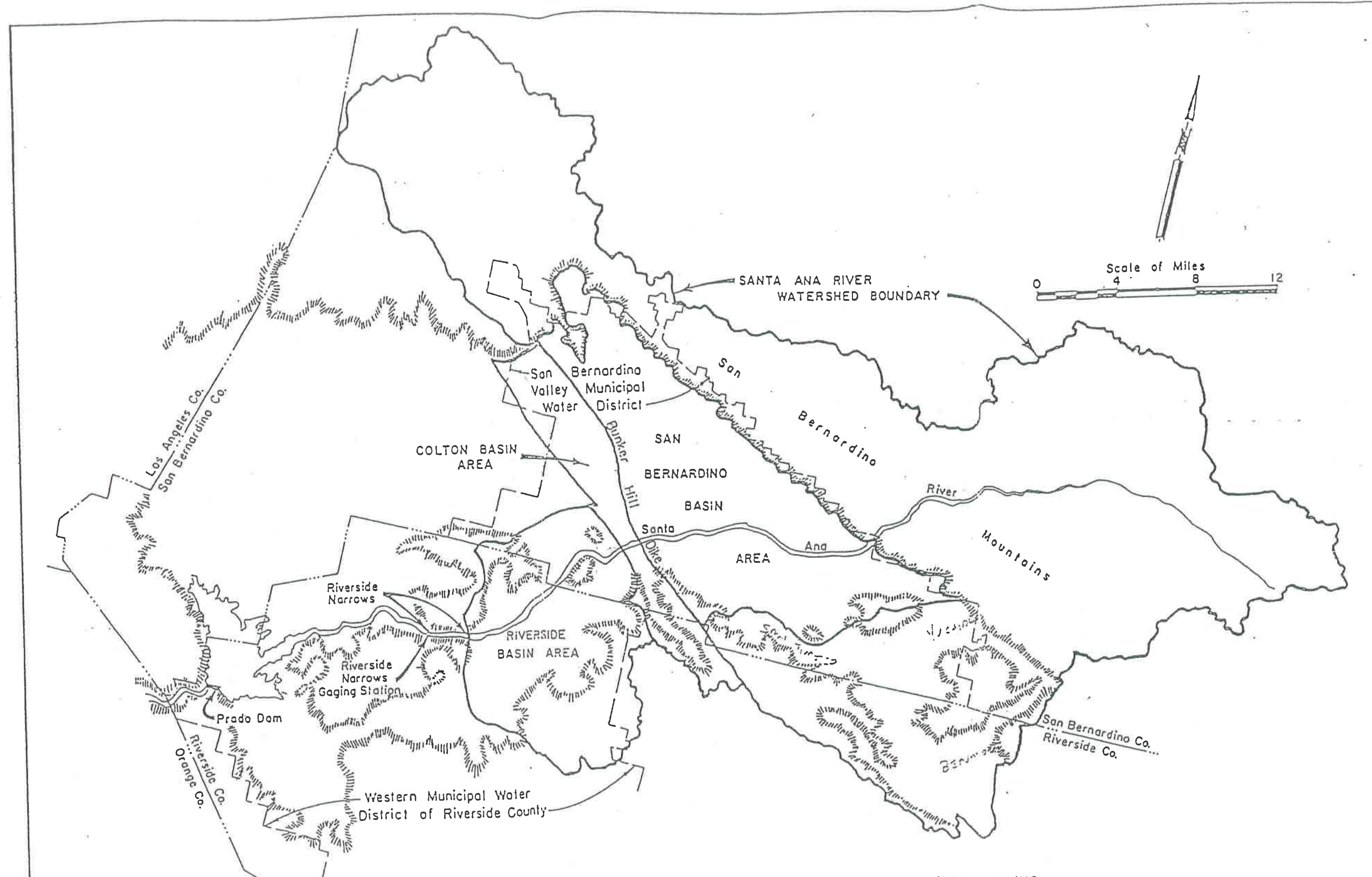
(ALL VALUES IN ACRE FEET)

| <u>Basin</u> | <u>Five-Year</u> <u>Average</u> |
|---|------------------------------------|
| San Bernardino Basin Area | 60,897 |
| Colton Basin Area | 3,349 |
| Riverside Basin Area in San Bernardino County | 20,191 |
| Riverside Basin Area in Riverside County | <u>30,044</u> |
| <u>TOTAL</u> | 114,481 |

APPENDIX D
TABLE D-5

IRRIGATED ACREAGE IN RIVERSIDE BASIN AREA
IN RIVERSIDE COUNTY PRESENTLY TRIBUTARY
TO RIVERSIDE NARROWS WHICH
UPON CONVERSION TO URBAN USES
REQUIRING SEWAGE DISPOSAL THROUGH
THE RIVERSIDE TREATMENT PLANT WILL
BE DISCHARGED TO THE RIVER BELOW
RIVERSIDE NARROWS

| <u>Entity Serving Acreage</u> | <u>Acres</u> |
|----------------------------------|--------------|
| Gage Canal | 1,752 |
| Alta Mesa Water Co. | 65 |
| East Riverside Water Co. | 926 |
| Riverside Highland Water Company | <u>1,173</u> |
| <u>TOTAL</u> | <u>3,916</u> |



MAP SHOWING
 SAN BERNARDINO BASIN AREA, COLTON BASIN AREA, AND
 RIVERSIDE BASIN AREA SITUATED WITHIN SAN BERNARDINO
 COUNTY; RIVERSIDE BASIN AREA WITHIN RIVERSIDE COUNTY;
 BUNKER HILL DIKE; RIVERSIDE NARROWS; AND BOUNDARIES OF
 SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT & WESTERN
 MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY.

APPENDIX F

VERIFIED 2019 EXTRACTIONS
FOR
RIVERSIDE SOUTH GROUNDWATER BASIN

**WESTERN - SAN BERNARDINO WATERMASTER
TABLE 3A
VERIFIED EXTRACTION, SUMMARY - FILED AND NON-FILED
RIVERSIDE BASIN AREA WITHIN RIVERSIDE COUNTY**

| OWNER | BASE YEARS | | | | | | CALENDAR YEAR EXTRACTIONS | | | | | |
|--|------------|--------|--------|--------|--------|--------|---------------------------|--------|--------|--------|--------|--------|
| | 1959 | 1960 | 1961 | 1962 | 1963 | AVG | 2015 | 2016 | 2017 | 2018 | 2019 | AVG |
| AGUA MANSA PROPERTIES, INC | 121 | 151 | 134 | 0 | 0 | 81 | - | - | - | - | - | 0 |
| ALAMO WATER COMPANY | 79 | 100 | 132 | 163 | 149 | 125 | 23 | 23 | 20 | 20 | 22 | 22 |
| AMERICAN TEXTILE MAINTENANCE | 30 | 34 | 38 | 35 | 31 | 34 | 1 | 1 | 1 | 1 | 1 | 1 |
| BANK OF AMERICA N.T.&S.A. | 90 | 90 | 90 | 90 | 94 | 91 | - | - | - | - | - | 0 |
| BOX SPRINGS MUTUAL WATER COMPANY | 526 | 503 | 547 | 497 | 470 | 509 | 266 | 262 | 265 | 259 | 120 | 234 |
| BURNS F L AND LAURA | 0 | 0 | 0 | 0 | 0 | 0 | - | - | - | - | - | 0 |
| CALIF BAPTIST UNIVERSITY | - | - | - | - | - | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CANYON CREST COUNTRY CLUB | - | - | - | - | - | 0 | 50 | 50 | 50 | 50 | 0 | 40 |
| CARPENTER COMPANY | 118 | 247 | 420 | 300 | 300 | 277 | - | - | - | - | - | 0 |
| CITIZENS NATIONAL COMPANY | 0 | 33 | 33 | 33 | 33 | 26 | - | - | - | - | - | 0 |
| CRESTMORE HEIGHTS MUTUAL WATER COMPANY | 67 | 63 | 65 | 61 | 58 | 63 | - | - | - | - | - | 0 |
| EASTERN MUNICIPAL WATER DISTRICT | 3 | 1 | 0 | 0 | 0 | 1 | - | - | - | - | - | 0 |
| FLABOB AIRPORT, LLC | 5 | 5 | 5 | 5 | 5 | 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| GROSS, DALE P | 0 | 0 | 0 | 0 | 0 | 0 | - | - | - | - | - | 0 |
| GRUBBS, V W | 45 | 40 | 51 | 38 | 39 | 43 | - | - | - | - | - | 0 |
| HEYMING, FRANK & LUCY | - | - | - | - | - | 0 | 13 | 13 | 0 | 5 | 2 | 7 |
| HIGH GROVE VILLAGE | 220 | 198 | 210 | 250 | 439 | 263 | 0 | 0 | 0 | 0 | 0 | 0 |
| HUNTER ENGINEERING COMPANY | 0 | 0 | 0 | 31 | 188 | 44 | - | - | - | - | - | 0 |
| JOHNSON, TRUMAN | 274 | 218 | 252 | 191 | 254 | 238 | - | - | - | - | - | 0 |
| JURUPA COMMUNITY SERVICES DISTRICT | 1,003 | 1,068 | 1,056 | 1,146 | 1,414 | 1,137 | 464 | 473 | 503 | 516 | 492 | 490 |
| LA CASA CONTENTA MOTEL | 0 | 0 | 0 | 0 | 0 | 0 | - | - | - | - | - | 0 |
| MADISON, ERIN | 1,167 | 1,485 | 1,196 | 991 | 1,443 | 1,256 | - | - | - | - | - | 0 |
| MARTIN, KENNETH ALLAN | 0 | 0 | 0 | 0 | 0 | 0 | - | - | - | - | - | 0 |
| MASTERCRAFT HOMES | 987 | 987 | 987 | 987 | 987 | 987 | - | - | - | - | - | 0 |
| MICHAEL, C. | 354 | 354 | 354 | 354 | 354 | 354 | - | - | - | - | - | 0 |
| MIPO CORP, DBA MISSION | 73 | 73 | 73 | 73 | 73 | 73 | - | - | - | - | - | 0 |
| PEDLEY LAND COMPANY LLC | - | - | - | - | - | 0 | 475 | 468 | 485 | 450 | 464 | 468 |
| PROPERTY ACQUISITION COMPANY | 140 | 136 | 143 | 139 | 141 | 140 | - | - | - | - | - | 0 |
| RIVERSIDE CEMENT COMPANY | 1,067 | 1,080 | 2,702 | 2,434 | 2,205 | 1,898 | 31 | 30 | 30 | 1 | 1 | 19 |
| RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT | - | - | - | - | - | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| RIVERSIDE COUNTY PARKS DEPARTMENT | 2,240 | 2,240 | 2,240 | 2,240 | 2,240 | 2,240 | 486 | 254 | 254 | 0 | 254 | 250 |
| RIVERSIDE HIGHLAND WATER CO | 0 | 0 | 0 | 1,393 | 1,381 | 555 | 43 | 81 | 124 | 158 | 204 | 122 |
| RIVERSIDE INDUSTRIAL PARK | 315 | 315 | 224 | 209 | 174 | 247 | - | - | - | - | - | 0 |
| RIVERSIDE THOROUGHbred FARM | - | - | - | - | 90 | 18 | - | - | - | - | - | 0 |
| RIVERSIDE UNIFIED SCHOOL DISTRICT | - | - | - | - | - | 0 | 3 | 18 | 19 | 29 | 19 | 18 |
| RIVERSIDE, CITY OF | 12,696 | 15,979 | 16,531 | 13,302 | 11,104 | 13,922 | 9,414 | 11,881 | 12,915 | 15,531 | 16,241 | 13,196 |
| RIVERSIDE, CITY OF-GAGE CANAL | 3,057 | 2,987 | 3,236 | 2,017 | 2,171 | 2,694 | 4,262 | 3,899 | 4,167 | 3,988 | 3,629 | 3,989 |
| RIVINO WATER COMPANY | 297 | 211 | 187 | 477 | 372 | 309 | - | - | - | - | - | 0 |
| ROCKY R RANCH | 45 | 24 | 6 | 6 | 5 | 17 | - | - | - | - | - | 0 |
| ROOS CHARLES E | 0 | 200 | 0 | 0 | 0 | 40 | - | - | - | - | - | 0 |
| ROSS SAM | 0 | 0 | 0 | 0 | 0 | 0 | - | - | - | - | - | 0 |
| RUBIDOUX C.S.D. | 1,006 | 1,112 | 1,389 | 1,179 | 1,219 | 1,181 | 7,803 | 7,329 | 7,636 | 5,256 | 4,717 | 6,548 |
| SCHWAB A M | 110 | 88 | 42 | 11 | 12 | 53 | - | - | - | - | - | 0 |
| SCOPE CORPORATION | 116 | 90 | 135 | 199 | 100 | 128 | - | - | - | - | - | 0 |
| STOKER GEORGE | 158 | 165 | 159 | 165 | 134 | 156 | - | - | - | - | - | 0 |

**WESTERN - SAN BERNARDINO WATERMASTER
TABLE 3A
VERIFIED EXTRACTION, SUMMARY - FILED AND NON-FILED
RIVERSIDE BASIN AREA WITHIN RIVERSIDE COUNTY**

| OWNER | BASE YEARS | | | | | | CALENDAR YEAR EXTRACTIONS | | | | | |
|--------------------------------------|------------|------|------|------|------|-----|---------------------------|------|------|------|------|-----|
| | 1959 | 1960 | 1961 | 1962 | 1963 | AVG | 2015 | 2016 | 2017 | 2018 | 2019 | AVG |
| TAYLOR WALTER & BARBARA | 0 | 0 | 0 | 30 | 15 | 9 | - | - | - | - | - | 0 |
| UNIVERSAL FOREST PRODUCTS | - | - | - | - | - | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| UNIVERSITY OF CALIFORNIA, REGENTS OF | 131 | 283 | 370 | 94 | 227 | 221 | 0 | 0 | 0 | 0 | 0 | 0 |
| VICTORIA COUNTRY CLUB | 0 | 0 | 0 | 0 | 0 | 0 | 275 | 392 | 355 | 345 | 345 | 342 |
| VON KANEL ALFRED | 83 | 87 | 94 | 94 | 78 | 87 | - | - | - | - | - | 0 |
| WATERMAN ALLEN H | 25 | 33 | 16 | 0 | 0 | 15 | - | - | - | - | - | 0 |
| WHITE SULPHUR SPRINGS POOL | 49 | 53 | 54 | 44 | 40 | 48 | - | - | - | - | - | 0 |
| WIGHT MRS CHARLES H | 76 | 0 | 0 | 0 | 0 | 15 | - | - | - | - | - | 0 |
| ZINKE VERA | 53 | 37 | 47 | 20 | 18 | 35 | - | - | - | - | - | 0 |

TOTALS FOR 154 WELLS

| | | | | | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| 26,826 | 30,770 | 33,218 | 29,298 | 28,057 | 29,634 | 23,609 | 25,174 | 26,824 | 26,609 | 26,511 | 25,745 |
|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|

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AS OF 7/23/2020 10:31 AM