

**FOR CONSIDERATIONS AND DISCUSSIONS AT RULES COMMITTEE MEETING
OF MAY 11, 2021**

RULE 1.1.2 OWNERSHIP INTEREST CONFLICT OR QUESTION

When the District receives documentation where two or more parties are unable to clearly demonstrate on the face of the documentation clarity of interests in the water rights and/or access thereto, the District shall notify such parties of such conflicting documentation, as follows:

1. The District shall provide copies of conflicting documentation to each party.
2. The parties shall be allowed six (6) months to engage in discussions on issues that are in conflict including but not limited to ownership and/or access to the water rights.
3. If resolution between the parties is achieved, then the District shall act upon resolution and include such resolution within their records.

The parties shall be given six (6) months for them to reach resolution. Should no resolution be reached within six (6) months and no efforts through the judicial process be undertaken by the parties, the Board shall consider removal of any property from a permit or program through an amendment to such permit or program until a final resolution is reached.

RULE 4.3. MONITORING REQUIREMENTS . [Added May 12, 2020]

1. Each well having a production capacity of 1000 gpm, or more, shall have monitoring equipment reasonably required by the District and be capable for use as a monitoring well. [Amended July 12, 2005,(former Rule 5.1.1)]
2. Each well that is part of an operating permit with an aggregate withdrawal of 10,000 AFY or more, shall have monitoring equipment reasonably required by the District and be capable for use as a monitoring well. If a well from that aggregate has a production capacity of less than 500 gpm, then the District may consider removing the requirement of monitoring equipment for that well.
3. The monitoring equipment reasonably required by the District shall include the capability to automatically measure water levels in the well, **pumping rate** and to automatically measure cumulative **production discharge rates**.
 - a. The equipment for measuring water levels will consist of a transducer, a sonic water level, or equivalent technology capable of measuring within an accuracy of 0.1 ft. The water level measuring equipment shall interface with software capable of recording measurements at hourly intervals.
 - b. The equipment for measuring discharge will consist of an inline totalizing water meter that satisfies Rules 11.2.2, 11.2.3, 11.2.4. The discharge measuring equipment will interface with software capable of recording measurements of cumulative flow at hourly intervals.

- c. The District will have access to the monitoring equipment for the purpose of inspection. The District will give the permittee a notice for inspection not less than seven calendar days prior to the date of the inspection.
4. The monitoring data will be reported to the District electronically.
- a. Once every month, the monitoring data will be reported using a spreadsheet format, that has been approved by the District. The monthly submission will provide by the 15th of such month the required monitoring data collected for the previous month.
 - b. The notification of the submission will be emailed to the District. The email notification will contain a hypertext link to the data files. The District may change the method of notification and/or data submission if requested to do so by the permittee.
 - c. Each monthly submission shall be accompanied with a statement that the data has been checked using quality assurance protocols developed for the District **submission and approved by the District**. Any changes to previously submitted monthly data sets will be accompanied by a letter explaining the reason for the resubmission.
 - d. Timely submission of the monitoring data is required as a condition for renewal of the operating permit.
- a. The District will notify the permittee at least seven calendar days in advance of a well sampling event and at such time will provide the permittee with a copy of the protocols to be used for collection and analysis of any water samples prior to such sampling.

RULE 7.7. PERMITS ISSUED BY THE DISTRICT.

1. All permits issued by the District shall state the following:
- (a) the name of the person to whom the permit is issued;
 - (b) the date the permit is issued;
 - (c) the date the permit is to expire;
 - (d) the conditions and restrictions, if any, placed on the location of the well, ~~instantaneous rate~~ **production capacity** and annual amount of withdrawal of groundwater;
 - (e) any other conditions or restrictions the District prescribes;
 - (f) the beneficial use for which the water will be produced, e.g., industrial, municipal, irrigation, etc.; and [Added August 12, 2014]
 - (g) any other information the District determines reasonably useful and beneficial.

RULE 11.2. METER/MEASUREMENT REQUIRED.

1. The owner of a non-exempt well shall equip the well with a metering or measuring device meeting the specifications of these rules, and shall operate the meter on the well to measure the instantaneous flow rate and cumulative total amount of groundwater withdrawn from the well. Except as provided in Rule 11.1, the owner of a well existing on the effective date of these rules shall install a meter on the well on or before December 30, 2007. An hour meter may be considered as a production monitoring device on a well, if the output (gpm) can be accurately determined.
2. A mechanically driven, ~~digital~~ or a magnetic, (or any other meter acceptable with the American Water Works Association), totalizing water meter with digital output is the only type of meters that may be installed on a well, without written authorization from the District. The digital totalizer must not be re-settable by the permittee and must be capable of a maximum reading greater than the maximum expected pumpage during the permit term. Battery operated registers must have a minimum five-year life expectancy and must be permanently hermetically sealed. Battery operated registers must visibly display the expiration date of the battery. All meters must meet the requirements for registering accuracy as set forth in the applicable American Water Works Association standards for cold-water meters, ~~as those standards existed on the date of adoption of these rules.~~

RULE 13.1. WASTE.

1. Groundwater shall not be produced within, or used within or without the District, including but not limited to water withdrawn from any aquifer under the jurisdiction of the District, in such a manner as to constitute waste and/or not put to a beneficial use.
2. No person shall pollute or harmfully alter the character of the underground water reservoir of the District by means of salt water or other deleterious matter admitted from some other stratum or strata, or from the surface of the ground.
3. No person shall commit waste of groundwater. [Amended June 12, 2012]
4. An abandoned well shall be capped and maintained in a manner to prevent pollution, including the commingling of undesirable water and fresh water or the loss of water. [Amended June 12, 2012]
5. These provisions shall apply to the use of groundwater by all persons using the groundwater withdrawn from any aquifer under the jurisdiction of the District, whether in privity of permit or contract, from withdrawal to distribution or ultimate use of such groundwater. To the extent a person is also using surface water, the provisions of this section do not limit the

use of that source of water. The term "person" as used in these Rules includes individuals, corporations, partnerships, associations, political subdivisions, and all other legal entities.

6. Enforcement and violations of this Section shall be as set forth in Section 15 of these Rules and/or allowed under Chapter 36.
7. In addition, the District may, after proper notice and hearing pursuant to Section 14, consider reduction of the permitted amounts upon any infraction(s).