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BORRÉGO WATER DISTRICT

Exempt from Filing Fees Pursuant to  
Government Code Section 6103

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF ORANGE

11  
12 BORREGO WATER DISTRICT,  
13 Plaintiff,

14 v.

15 ALL PERSONS WHO CLAIM A RIGHT TO  
16 EXTRACT GROUNDWATER IN THE  
BORREGO VALLEY GROUNDWATER  
17 SUBBASIN NO. 7.024-01 WHETHER  
BASED ON APPROPRIATION,  
18 OVERLYING RIGHT, OR OTHER BASIS  
OF RIGHT, AND/OR WHO CLAIM A  
19 RIGHT TO USE OF STORAGE SPACE IN  
THE SUBBASIN; et al.

20 Defendants.  
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Case No. 37-2020-00005776  
Judge: Peter J. Wilson  
Dept. CX102

DECLARATION OF ARTHUR STORER  
DRISCOLL, III ("TREY") IN SUPPORT OF  
MOTION FOR JUDGMENT PURSUANT  
TO SECTION 850 OF THE CODE OF  
CIVIL PROCEDURE

Complaint filed: January 30, 2020  
Trial Date: None Set

BEST BEST & KRIEGER LLP

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DECLARATION OF ARTHUR STORER DRISCOLL, III (“TREY”)  
IN SUPPORT OF MOTION FOR JUDGMENT PURSUANT TO SECTION 850 OF  
THE CODE OF CIVIL PROCEDURE

I, ARTHUR STORER DRISCOLL, III (“TREY”) declare as follows:

**QUALIFICATIONS**

1. I am a senior principal hydrogeologist at Dudek, an environmental consulting firm headquartered in Encinitas, California. I have over 20 years of experience working on groundwater planning, water resource studies, watershed evaluations, environmental investigations, well locating and drilling, well design, and similar efforts. I am a California-registered professional geologist (PG No. 8511) and certified hydrogeologist (CHG No. 936). I earned a Bachelor of Science degree in Geoscience and Environmental Studies from Hobart and William Smith Colleges in Geneva, New York.

2. I have worked on groundwater projects for public agencies and private entities across California, including groundwater supply and characterization studies, groundwater modeling, groundwater extraction and feasibility analyses, groundwater recharge studies, groundwater quality monitoring, hydrogeological investigations, and a wide variety of on-the-ground groundwater projects.

3. I have personal knowledge of the facts stated below, and if called upon, I could and would testify competently thereto.

**WORK IN THE BORREGO SPRINGS SUBBASIN**

4. In 2013, Dudek was retained by the Borrego Water District (BWD) to work on various well, siting, and engineering projects, and I have personally been working with the BWD since then. In 2017, Dudek was retained by the County of San Diego (County) and the Borrego Water District (BWD) to prepare a groundwater sustainability plan (GSP) for the Borrego Springs Groundwater Subbasin No. 7.024-01 of the Borrego Valley Groundwater Basin (Basin) to meet

1 the requirements of the Sustainable Groundwater Management Act (SGMA). SGMA requires  
2 governments and water agencies of high and medium priority basins to sustainably manage  
3 groundwater in a manner that can be maintained during the planning and implementation period  
4 and to halt “undesirable results” including but not limited to bringing groundwater basins into  
5 balanced levels of pumping and sustainable yield. An undesirable result can include chronic  
6 lowering of groundwater levels indicating significant unreasonable depletion of supply and  
7 significant and unreasonable reduction of groundwater in storage. Under SGMA, these basins  
8 should reach their sustainability goals within 20 years of implementing their sustainability plans.  
9 For critically over-drafted basins, that will be 2040. For the remaining high and medium priority  
10 basins, 2042 is the deadline.

11           5.       DWR identified the Basin as being in a condition of critical overdraft and as a high  
12 priority basin under SGMA, requiring the development of a groundwater sustainability plan to  
13 achieve sustainable water use by 2040. According to SGMA, “[a] basin is subject to critical  
14 overdraft when continuation of present water management practices would probably result in  
15 significant adverse overdraft-related environmental, social, or economic impacts.” Overdraft  
16 occurs where the average annual amount of groundwater extraction exceeds the long-term  
17 average annual supply of water to the basin such that “undesirable results” occur. SGMA  
18 identifies six undesirable results: chronic lowering of groundwater levels, significant and  
19 unreasonable reduction of groundwater storage, significant and unreasonable seawater intrusion,  
20 significant and unreasonable land subsidence, significant and unreasonable water quality  
21 degradation, and depletions of interconnected surface water that have significant and  
22 unreasonable adverse impacts on beneficial uses of the surface water. Sustainable groundwater  
23 management is achieved under SGMA when these undesirable results are eliminated and avoided.

24           6.       SGMA empowers local agencies to form Groundwater Sustainability Agencies  
25 (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater  
26 Sustainability Plans (GSPs) for high and medium priority groundwater basins in California. The  
27 GSP must include management actions that are reasonably anticipated to eliminate and avoid the  
28 six identified undesirable results within 20 years of the GSP’s adoption. On October 24, 2016,

1 BWD and the County of San Diego entered into a Memorandum of Understanding for the  
2 Development of a Groundwater Sustainability Plan for the Borrego Valley Groundwater Basin to  
3 cooperatively serve together as the GSA to develop the Basin’s GSP.

4 7. I served as the consultant project manager for the preparation of the GSP. This  
5 work involved gathering and reviewing groundwater data, conducting site investigations and  
6 studies, preparing extensive technical analyses regarding groundwater volumes, groundwater  
7 quality, and other groundwater metrics in the Basin, as well as drafting chapters of the GSP, in  
8 conformance with the SGMA GSP regulations adopted by the California Department of Water  
9 Resources (DWR).

10 8. My efforts involved attending dozens of public meetings in Borrego Springs to  
11 describe the GSP preparation process and ongoing GSP development, responding to technical  
12 comments submitted by the County, BWD, and other stakeholders, and receiving input on draft  
13 GSP chapters from the public.

14 9. One significant aspect of Dudek’s GSP development work was analyzing the  
15 volumes of water pumped historically by groundwater users across the Basin. At the direction of  
16 the County and after analyzing multiple historical periods, principal focus was placed on  
17 groundwater pumping occurring between 2010 and the end of 2014, the five years prior to the  
18 effective date of SGMA.

19 10. The County and BWD, acting as the Basin’s “groundwater sustainability agency”  
20 proposed that pumpers would be allocated “baseline pumping allocation” in the GSP giving  
21 pumpers the right to pump certain volumes of groundwater each year from implementation  
22 onward based upon each pumper’s highest amount of groundwater pumping in any one calendar  
23 year between 2010 and 2014. Historical pumping and proposed baseline pumping allocations  
24 were presented to the public on an aggregate basis by sector (agricultural, recreational, and  
25 municipal users).

26 11. Dudek, in coordination with the County, worked with pumpers in the Basin to  
27 determine—using metered records for pumpers who provided such records, or, for those pumpers  
28 lacking metered data, through estimated groundwater usage based upon crop type, acreage

1 planted, evaporation rates, review of high resolution aerial photography, site visits, and other  
2 scientifically accepted methods—the volumes of groundwater pumped or estimated to have been  
3 pumped by individual landowners in the Basin annually during the 2010 to 2014 period.

4 12. Dudek also undertook an analysis of the pumping by “de minimis” pumpers in the  
5 Basin, i.e., those who pumped less than two acre feet of water per year, over the same five year  
6 period and using the same methods. (One acre foot is equal to approximately 326,000 gallons.)

7 13. To meet SGMA mandates, the Draft Final GSP determined that total Borrego  
8 Basin pumping would need to be reduced over a 20-year period until the Basin reached  
9 “sustainability.” In general terms, this means that pumping would be ramped down over time at  
10 levels to be determined so that by 2040, total Basin pumping would (subject to climate change  
11 and other issues) not exceed the sustainable yield of the Basin. That is, the average volume of  
12 groundwater pumping each year would be no more than the long-term average volume of water  
13 recharging the basin via precipitation and other methods such that the Basin will no longer  
14 experience any of the six undesirable results identified in SGMA.

15 14. Based upon the methodology described in Paragraph 11, above, and using data  
16 collected and analyzed by Dudek on behalf of the Basin GSA, the Draft Final GSP contained  
17 proposed baseline pumping allocations for each sector in the Basin. The sector totals were based  
18 on private letters sent by the County of San Diego on behalf of the GSA to each individual  
19 pumper in the Basin specifying their anticipated BPA. To achieve the SGMA sustainability  
20 outcome for the Basin, under the Draft Final GSP, there was to be a pumping reduction program  
21 over a 20-year period until sustainable pumping levels were achieved. Thereafter, annual  
22 pumping levels would remain at sustainable levels. I am informed and believe and on that basis  
23 declare that the draft GSP for the Borrego Basin was prepared and circulated for a sixty-day  
24 public review and comment period starting in March 2019 through May 21, 2019. I am informed  
25 and believe, and know from personal experience, and on that basis declare that changes to the  
26 draft GSP were made based on public comments received.

27 15. I am informed and believe and on that basis declare that a Draft Final GSP was  
28 published on the County’s Borrego GSP website on behalf of the GSA on August 30, 2019.

1           16. Dudek’s efforts on the GSP culminated in the preparation and GSA circulation of a  
2 Draft Final GSP. I am informed and believe and on that basis declare that a Draft Final GSP was  
3 not presented by the County or BWD at a public hearing under Water Code section 10728.4 to  
4 consider adoption of the GSP.

5           17. I am informed and believe and on that basis declare that parties agreed to support a  
6 Groundwater Management Plan (“GMP”) as part of the physical solution administered by a  
7 Court-established Watermaster, with input from a Technical Advisory Committee (TAC)  
8 pursuant to the Judgment entered by the Court in a Comprehensive Adjudication under California  
9 Code of Civil Procedure sections 830 et seq.

10           18. I am informed and believe and on that basis declare that BWD and some of the  
11 groundwater extractors (collectively referred to herein as the “Settling Parties”) entered into a  
12 written settlement agreement to “establish the terms and process for their stipulation to a  
13 judgment that comprehensively determines and adjudicates all rights to extract and store  
14 groundwater in the Borrego Springs Groundwater Subbasin of the Borrego Valley Groundwater  
15 Basin and that establishes a physical solution for the Sustainable Groundwater Management for  
16 the Basin and complies with Article X, section 2 of the California Constitution” (the “Settlement  
17 Agreement”).

18           19. The Settlement Agreement includes a proposed stipulated judgment (the  
19 “Stipulated Judgment”). I have reviewed the terms and conditions of the Settlement Agreement  
20 and the Stipulated Judgment to determine whether they meet the criteria set forth in Section 850  
21 (a) of the Code of Civil Procedure.

22           20. Pursuant to the terms of the Settlement Agreement and Stipulated Judgment, the  
23 Settling Parties agreed to the terms and process to comprehensively determine and adjudicate all  
24 rights to extract and store groundwater in the Basin and establish a physical solution for the  
25 Sustainable Groundwater Management for the Basin that complies with Article X, section 2 of the  
26 California Constitution.

27           21. Pursuant to the terms of the Settlement Agreement, the Settling Parties intend for  
28 the Stipulated Judgment, including the GMP attached thereto, to implement the physical solution

1 for the Basin, satisfy the substantive objectives of SGMA, and serve as an alternative to a  
2 Groundwater Sustainability Plan under SGMA following approval by DWR.

### 3 **PHYSICAL SOLUTION**

4 22. The GMP that has been agreed to—and made available to the public—by the  
5 Settling Parties is available at [www.borregowaterlawsuit.com](http://www.borregowaterlawsuit.com). Except for a few minor changes,  
6 the GMP is the same as the Draft Final GSP that my colleagues and I prepared on behalf of the  
7 Basin GSA. As a result, I am intimately familiar with the contents of the GMP.

8 23. I have also reviewed the proposed Stipulated Judgment, which incorporates the  
9 GMP and constitutes a “Physical Solution” for the Basin. I have also reviewed and am familiar  
10 with the Physical Solution’s intended purposes and parameters, its scientific and hydrogeological  
11 foundations, and how the proposed “baseline pumping allocation” (BPA) described in the  
12 Stipulated Judgment for each non-de minimis pumper and water credit holder in the Basin was  
13 determined.

14 24. The Basin, which encompasses approximately 98 square miles in northeastern San  
15 Diego County, is the exclusive water supply for the community of Borrego Springs. It supplies  
16 three primary uses: (1) domestic water supply to the residents of Borrego Springs; (2) roughly  
17 2,600 acres of irrigated agriculture; and (3) recreation and tourism, which includes golf courses  
18 and servicing visitors to the Anza-Borrego Desert State Park.

19 25. Current groundwater use in the Basin greatly exceeds groundwater recharge (i.e.,  
20 the Basin is being overdrafted). The Basin’s groundwater supply has been diminishing as a result  
21 of overdraft for decades, resulting in a decline in groundwater elevations of up to 133 feet from  
22 1953 to 2018. Despite the extended overdraft, it is currently estimated that the Basin still  
23 contains approximately 1.5 million acre-feet of groundwater in storage based upon studies of  
24 Basin size and water capacity.

25 26. The majority of recharge that replenishes the Basin comes from streamflow exiting  
26 the mountains onto the desert alluvial fans that abut the mountain front. Land uses consist  
27 primarily of private land under County jurisdiction, and both the private land and the Basin itself  
28 are surrounded on nearly all sides by the Anza-Borrego Desert State Park.

1           27.     The developed land uses in the Basin include residential, agricultural, recreational,  
2 and commercial.

3           28.     The intent of the GMP, like the Draft Final GSP, in part, is to achieve long-term  
4 groundwater sustainability by restoring balance to the Basin (i.e., reaching “sustainability) no  
5 later than 2040 as required by SGMA.

6           29.     The Stipulated Judgment, including the GMP and like the Draft Final GSP,  
7 provides a roadmap to reach sustainability in the Basin. The GMP, like the Draft Final GSP,  
8 creates three management areas for the Basin, which will be used to monitor groundwater quality  
9 and other SGMA parameters and to measure the progress toward achieving sustainability goals.  
10 The GMP’s sustainability goals will be updated through the TAC process.

11           30.     The GMP, like the Draft Final GSP, also establishes minimum thresholds and  
12 measurable objectives for sustainability indicators (e.g., groundwater in storage, groundwater  
13 levels, and water quality). The primary tool to eliminate the Basin’s overdraft is to require  
14 pumping cutbacks. The GMP’s sustainability indicators will be updated through the TAC  
15 process.

16           31.     The GMP, like the Draft Final GSP, also provides for projects and management  
17 actions that will reduce water demand and maintain water quality for current and future beneficial  
18 uses. The GMP’s projects and management actions will be updated through the TAC process and  
19 will be enforced under the Stipulated Judgment.

20           32.     The Stipulated Judgment incorporates the GMP and sets an initial sustainable yield  
21 of the Basin that will be refined over time through the TAC process. It provides a Physical  
22 Solution that will be implemented over at least a 50-year time period to ensure that the Basin is  
23 managed within its sustainable yield, consistent with SGMA. It provides for adaptive  
24 management of the Basin, as overseen by the Court through its continuing jurisdiction. It  
25 provides for a Court-established Watermaster that will receive input from a Technical Advisory  
26 Committee and enforce the Stipulated Judgment and implement the Physical Solution.

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1           33.     Under the Stipulated Judgment, the Watermaster will monitor groundwater levels  
2 from a network of monitoring wells and will submit annual and more detailed 5-year reports to  
3 DWR that evaluate the success and/or challenges in Physical Solution implementation.

4           34.     Changes to the Physical Solution may be proposed subject to future Court  
5 approval. The Watermaster may set, levy, and collect pumping assessments and overproduction  
6 penalty assessments. The Physical Solution establishes a BPA, or pumping rights, for non-de  
7 minimis users and provides for annual pumping pursuant to BPA to be ramped down pursuant to  
8 a set schedule in order to achieve sustainability. BPA may be leased or transferred pursuant to  
9 Watermaster oversight. The Physical Solution also provides for meter installation and a water  
10 quality monitoring plan.

11  
12                                   **OPINIONS**

13           35.     Based upon my review of the Stipulated Judgment, including the Physical Solution  
14 contained therein and GMP attached thereto, it is my opinion that the Stipulated Judgment is  
15 consistent with Section 2 of Article X of the California Constitution. The Stipulated Judgment  
16 and its implementation over time will help assure that the critically over-drafted Borrego Springs  
17 Basin reaches sustainability and that its water resources will be put to beneficial use to the fullest  
18 extent of which they are capable, that the waste or unreasonable use of such water resources will  
19 be avoided, and that the conservation of the Basin’s groundwater resources will be exercised with  
20 a view to the reasonable and beneficial use of available waters. If managed sustainably, as  
21 proposed under the Stipulated Judgment, groundwater is expected to sustain the region’s residents  
22 and economy in perpetuity.

23           36.     It is also my opinion that the Stipulated Judgment is necessary to protect the  
24 limited water supply that is vital to the public health, safety, and welfare of all persons and  
25 entities that depend upon waters from the Basin, to ensure its reasonable use pursuant to Article  
26 X, section 2 of the California Constitution, and to sustainably manage the Basin pursuant to the  
27 SGMA. (California Water Code sections 10720–10737.8, et al.)

28

1           37.     The Stipulated Judgment satisfies the objectives of SGMA. The Stipulated  
2 Judgment and its implementation by the Borrego Springs Watermaster and the pumpers of Basin  
3 groundwater will avoid the enumerated “undesirable results” to groundwater and related  
4 resources SGMA was designed to avoid.

5           38.     The pumping reductions prescribed by the Stipulated Judgment, coupled with the  
6 adaptive management process set forth therein, will ensure that by 2040 no more water is  
7 extracted from the Basin than its sustainable yield.

8           39.     The BPA assignments in the Stipulated Judgment were made on the basis of  
9 neutral criteria (e.g., pumping history calculated using the methods described in Paragraph 11  
10 above water credits, etc.) without any favoritism for the Stipulating Parties.

#### 11                           **FURTHER GROUNDWATER PUMPING ANALYSIS**

12           40.     As a consultant to the BWD, my team and I also conducted an analysis of the  
13 volumes of groundwater pumped by landowners and others (such as BWD) during the five year  
14 period (2015 to 2019) prior to the filing of the adjudication action in January 2020 for purposes of  
15 assisting in assessing whether the thresholds of support for the Stipulated Judgment specified in  
16 subdivision (b) of Section 850 of the Code of Civil Procedure have been satisfied. For that  
17 analysis, we conducted a review of metered pumping records and, for properties where no meter  
18 was used, we estimated groundwater usage based upon crop type, acreage planted, evaporation  
19 rates, review of high resolution aerial photography, and other generally accepted scientifically-  
20 based methods to generate such estimates.

21           41.     The total volumes of groundwater pumped or that we estimated to be pumped by  
22 each groundwater pumper in the Basin pumping more than two acre feet per year during the years  
23 2015 to 2019 are presented in Exhibit A, attached hereto and incorporated herein.

24           42.     In addition, BWD provided us with a designated list of seventeen (17) overlying  
25 landowners who filed answers to the comprehensive adjudication to determine whether those  
26 landowners extracted groundwater from the Subbasin during the 2015 to 2019 period. This  
27 analysis was undertaken through the same methods described in Paragraph 11 plus through  
28 review of County of San Diego and DWR well completion reports. Available aerial imagery was

1 reviewed over the years 2015 to 2019 to document approximate areas of irrigation by parcel for  
2 all pumpers. Extractors were designated as de minimis if an area of less than 0.25 acres of  
3 outdoor irrigation was documented on a parcel. I determined that two (2) of those seventeen (17)  
4 overlying landowners, namely (1) Charles S. and Patricia Smith, Trustees of Charles and Patricia  
5 Smith Trust, Declaration of Trust Dated 1-23-12 and (2) Mathes Family Limited Partnership  
6 extracted groundwater as de minimis pumpers from the Subbasin during the five calendar years  
7 (2015 to 2019) before 2020.

8 I declare under penalty of perjury under the laws of the State of California, on this 11<sup>th</sup>  
9 day of March 2021, at Encinitas, California, that the foregoing is true and correct.

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ARTHUR STORER DRISCOLL, III  
12 (“TREY”), PG, CHG

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# EXHIBIT A

**"EXHIBIT A. BORREGO SPINGS SUBBASIN 5-YEAR PUMPING 2015 TO 2019"**

**Table 1. Borrego Springs Groundwater Subbasin 5-Year (2015-2019) Estimated Annual Groundwater Production**

| Property / Business Name                                  | Pumper  | Annual Production By Year (Acre-Feet) |                  |                  |                  |                  |
|---|---|---------------------------------------|------------------|------------------|------------------|------------------|
|   |   | 2015*                                 | 2016             | 2017             | 2018             | 2019*            |
| <b>Agricultural Water Use***</b>                          |   |                                       |                  |                  |                  |                  |
| Agri Empire   | Agri Empire   | 0.00                                  | 342.26           | 0.00             | 0.00             | 0.00             |
| B & J Landscaping   | B & J Landscaping (Alan & Tracy Asche)  | 3.83                                  | 3.83             | 0.00             | 0.00             | 0.00             |
| Bailey  | Gary D. & Darlis A. Bailey  | 4.33                                  | 4.26             | 4.26             | 4.26             | 4.26             |
| Bauer Farm  | D&J Bauer Family Trust 11-18-04   | 1,807.63                              | 1,807.63         | 1,807.63         | 1,807.63         | 1,807.63         |
| Burnand   | T2 Borrego LLC (Burnand)  | 753.79                                | 753.79           | 0.00             | 0.00             | 0.00             |
| Carpenter Family  | Carpenter Family Trust 12-11-07   | 5.69                                  | 4.33             | 4.33             | 4.33             | 4.33             |
| Center Pivot**  | T2 Borrego LLC (Center Pivot)**   | 93.30                                 | 66.04            | 0.00             | 0.00             | 0.00             |
| Cogan   | JM RoadRunner LLC (Cogan)   | 530.34                                | 549.46           | 549.46           | 549.46           | 549.46           |
| Crumrin   | Crumrine Family Trust 04-19-06  | 20.75                                 | 20.75            | 20.75            | 26.90            | 26.90            |
| Desert Flora Nursery                                      | Desert Flora Nursery (John B. & Silvia H. Hogan)  | 7.99                                  | 7.99             | 7.99             | 7.99             | 7.99             |
| Ellis Farms (West Coast Trees)                            | Ellis Farms (West Coast Trees; John Doljanin)   | 898.57                                | 881.24           | 893.07           | 820.00           | 820.00           |
| Fortiner  | T2 Farms LLC  | 485.47                                | 485.47           | 485.47           | 485.47           | 485.47           |
| Fortiner WC Site**  | T2 Borrego LLC (Fortiner)**   | 638.86                                | 270.24           | 0.00             | 0.00             | 0.00             |
| Mountain Springs Organics LLC                             | Mountain Springs Organics (Gamini D. Weerasekera)   | 58.51                                 | 78.26            | 119.11           | 72.63            | 72.63            |
| Navarro   | Manuel & Araceli C. Navarro   | 13.58                                 | 13.58            | 13.58            | 13.58            | 13.58            |
| OASIS - Cogan Ranch                                       | Conzelman Family Trust A 11-22-83; Conzelman Family Trust C 11-22-83; Jensen Family Trust 8-05-83; Somerville Trust 11-22-83 (OASIS - Cogan Ranch)    | 686.27                                | 686.27           | 686.27           | 686.27           | 686.27           |
| OASIS - De Anza Ranch                                     | Conzelman Family Trust A 11-22-83 (OASIS - De Anza Ranch)   | 636.31                                | 636.31           | 465.38           | 465.38           | 465.38           |
| OASIS - Gable House                                       | Conzelman Family Trust A 11-22-83; Conzelman Family Trust C 11-22-83; Jensen Family Trust 8-05-83; Somerville Trust 11-22-83 (OASIS - Gable House)    | 485.96                                | 485.96           | 485.96           | 485.96           | 485.96           |
| OASIS - Gigi Ranch  | Conzelman Family Trust A 11-22-83; Conzelman Family Trust C 11-22-83; Jensen Family Trust 8-05-83; Somerville Trust 11-22-83 (OASIS - Gigi Ranch)     | 875.67                                | 875.67           | 875.67           | 875.67           | 875.67           |
| OASIS - Pegleg Ranch                                      | Conzelman Family Trust A 11-22-83; Conzelman Family Trust C 11-22-83; Jensen Family Trust 8-05-83; Somerville Trust 11-22-83 (OASIS - Peg Leg Ranch)  | 675.51                                | 675.51           | 675.51           | 675.51           | 675.51           |
| OASIS - Rancho Caterina                                   | Conzelman Family Trust A 11-22-83; Conzelman Family Trust C 11-22-83; Jensen Family Trust 8-05-83; Somerville Trust 11-22-83 (OASIS - Ranch Caterina) | 1,379.03                              | 1,379.03         | 1,379.03         | 1,041.41         | 1,041.41         |
| Pecoff  | Ronald Pecoff   | 112.75                                | 112.75           | 89.72            | 84.36            | 84.36            |
| Road Runner I   | JM RoadRunner LLC (Road Runner I)   | 615.03                                | 636.20           | 637.34           | 515.53           | 515.53           |
| Road Runner II  | JM RoadRunner LLC (Road Runner II)  | 387.07                                | 387.07           | 387.07           | 363.89           | 363.89           |
| Sanchez   | Jose G. & Maria E. Sanchez  | 4.26                                  | 4.26             | 1.20             | 1.20             | 1.20             |
| Seley Ranch   | Seley Ranches LP  | 1,950.81                              | 1,994.94         | 2,026.84         | 1,945.90         | 1,945.90         |
| Shenandoah Growers, Inc.                                  | Shenandoah Growers, Inc. (former Sonora Desert Palms)   | 60.74                                 | 60.74            | 0.00             | 20.66            | 40.02            |
| Trojan Citrus   | Trojan Citrus LLC   | 795.49                                | 795.49           | 1,142.34         | 1,142.34         | 1,142.34         |
| Vanasdlen   | Joel Vanasdlen  | 26.12                                 | 7.09             | 0.00             | 0.00             | 0.00             |
| Viking II WC Site**                                       | Lundberg Family Trust (formerly Lundavid LLC) (Cert. No. 2014-003-0001) (Viking 2)**  | 0.00                                  | 0.00             | 0.00             | 0.00             | 0.00             |
| Ward  | Michael C. Ward   | 81.54                                 | 81.54            | 81.54            | 81.54            | 81.54            |
| William Bauer   | William M. Bauer  | 670.16                                | 670.16           | 670.16           | 670.16           | 670.16           |
| Wright Family Living Trust                                | Wright Family Living Trust 06-19-89   | 158.43                                | 158.43           | 158.43           | 158.43           | 158.43           |
| Wright WC Site**  | The Springs LLC (Wright 2)**  | 169.94                                | 70.81            | 0.00             | 0.00             | 0.00             |
| <b>Sub-total Agricultural Water Use</b>                   |   | <b>15,093.73</b>                      | <b>15,007.35</b> | <b>13,668.09</b> | <b>13,006.45</b> | <b>13,025.81</b> |
| <b>Golf Course Water Use</b>                              |   |                                       |                  |                  |                  |                  |
| Borrego Springs Resort (Borrego Springs Country Club)**** | Borrego Nazareth LLC (Borrego Springs Resort)****   | 655.22                                | 625.34           | 717.33           | 717.33           | 625.50           |
| Club Circle****   | Borrego Nazareth LLC (Circle Club)****  | 66.39                                 | 72.80            | 71.60            | 71.60            | 71.60            |
| De Anza***  | De Anza Country Club***   | 954.57                                | 963.79           | 963.27           | 937.54           | 825.52           |
| Road Runner***  | Road Runner Golf & Country Club***  | 348.83                                | 348.83           | 348.83           | 348.83           | 348.83           |
| The Springs at Borrego Springs****                        | The Springs at Borrego Springs****  | 114.69                                | 94.26            | 163.38           | 184.28           | 184.28           |
| Rams Hill   | T2 Borrego, LLC (Ram's Hill Golf Club)  | 997.70                                | 940.20           | 794.50           | 714.36           | 751.94           |
| <b>Sub-total Golf Water Use</b>                           |   | <b>3,137.39</b>                       | <b>3,045.22</b>  | <b>3,058.91</b>  | <b>2,973.94</b>  | <b>2,807.67</b>  |
| <b>Municipal Water Use</b>                                |   |                                       |                  |                  |                  |                  |
| Borrego Water District                                    | Borrego Water District  | 1,719.91                              | 1,610.42         | 1,568.04         | 1,593.74         | 1,466.48         |
| <b>Sub-total Municipal Water Use</b>                      |   | <b>1,719.91</b>                       | <b>1,610.42</b>  | <b>1,568.04</b>  | <b>1,593.74</b>  | <b>1,466.48</b>  |
| <b>Other Non-De Minimis Water Users***</b>                |   |                                       |                  |                  |                  |                  |
| Casa Del Zorro***   | C W C Casa Del Zorro LLC***   | 12.91                                 | 12.91            | 12.91            | 11.36            | 11.36            |
| Borrego Elementary***                                     | Borrego Unified School District (Borrego Elementary)***   | 19.09                                 | 19.09            | 19.03            | 25.16            | 25.16            |
| Air Ranch****   | Borrego Air Ranch Mutual Water & Improvement Co*****  | 12.00                                 | 12.00            | 12.00            | 12.00            | 12.00            |
| State Park-Palm Canyon*****                               | Anza-Borrego Desert State Park (State of CA)*****   | 6.40                                  | 5.72             | 4.00             | 4.00             | 4.00             |
| <b>Sub-total Other Non-De Minimis Water Use</b>           |   | <b>50.40</b>                          | <b>49.72</b>     | <b>47.93</b>     | <b>52.51</b>     | <b>52.51</b>     |
| <b>De Minimis Water Users</b>                             |   |                                       |                  |                  |                  |                  |
| Domestic (count = 49)                                     |   | 24.50                                 | 24.50            | 24.50            | 24.50            | 24.50            |
| Industrial (count = 3)                                    |   | 1.50                                  | 1.50             | 1.50             | 1.50             | 1.50             |
| State (count = 1)   |   | 0.50                                  | 0.50             | 0.50             | 0.50             | 0.50             |
| <b>Sub-total De Minimis Water Use</b>                     |   | <b>26.50</b>                          | <b>26.50</b>     | <b>26.50</b>     | <b>26.50</b>     | <b>26.50</b>     |
| <b>Total Water Use</b>                                    |   | <b>20,028</b>                         | <b>19,739</b>    | <b>18,369</b>    | <b>17,653</b>    | <b>17,379</b>    |

**Notes:**

- \*2015 pumping extrapolated from 2014 aerial imagery for all sites without metered production records. Irrigation in 2019 confirmed using 2020 aerial imagery.
- \*\*Water Credits sites assumed to cease irrigation either on date of issuance of water credits or based on review of mid-2014 aerial imagery
- \*\*\*Aerial imagery analysis performed for De Anza and Road Runner golf courses, all agriculture use and other non-de minimis users.
- \*\*\*\*No metered data available from County of San Diego Major Use Permit for 2018 and/or 2019. Previous year used to estimate pumping.
- \*\*\*\*\*Water use factor of 0.5 acre feet per dwelling unit
- \*\*\*\*\*Metered water use. State Park notes that 2017 data and part of 2016 data is an estimate. 2019 is estimated based on previous year.