

**POLICY 2003-OP10**

**POLICY SUBJECT:      REQUIREMENTS FOR PUMPING WATER FROM MEMBER  
PRIVATE WELLS AND CONVEYING THE WATER THROUGH  
DISTRICT FACILITIES**

DATE APPROVED: January 15, 2003

AMENDED: May 11, 2011

**POLICY:**      To provide guidelines and criteria for use in permitting the conveyance of water pumped from member private wells through District canals and laterals.

**DEFINITIONS:**

**Metering:**      Measurement of volumetric flow rate of water by District-approved methods.

**District Facilities:**      Conveyance, storage, and other structures owned and operated by the District, including but not limited to canals, laterals, sub-laterals, drains and the associated control structures and rights-of-way.

**Conveyance Loss:**      Loss of water from District canals and laterals during conveyance due to seepage and evapotranspiration.

**Water Quality:**      Total Dissolved Solids (TDS), as defined in *Standard Methods for Analysis of Water and Wastewater*.

**Pump Water:**      Water produced from the pumping of member private groundwater wells located within the District that is to be put to beneficial use on water righted acres within the District.

**Pump Water Conveyance Permit:**      License or other special use permit granted to permittee to allow permittee to utilize District Facilities to transport Pump Water.

**Permittee:**      EBID member that meets the application and policy requirements for utilizing District Facilities to transport Pump Water who is subsequently granted a Pump Water Conveyance Permit.

**SECTION I: Pumping Standards.**

- A. The Pump Water Conveyance Permit is, at all times, subject to the rights of the District in the operation, maintenance and delivery functions of District Facilities.
- B. Pumping of water from private member wells into the District Facilities will be permitted only for delivery to eligible water righted acres within the District boundaries.
- C. Applicants for a Pump Water Conveyance Permit will provide the District with physical characteristics of discharge facilities on an application form provided by the District. The installation of the discharge facilities shall be subject to a District Special Use Permit, or other License approved by the Board of Directors, and to inspection by District representatives.
- D. The location of the pump and equipment shall not interfere with access to District Facilities. Site for pump and base and all facilities for delivering or removing water from District Facilities must be satisfactory to the District and each location and unit installation will be subject to a Special Use Permit.
- E. When conveyance of Pump Water in District Facilities conflicts with the conveyance and delivery of surface water, the conveyance and delivery of surface water shall always take precedence over the conveyance of Pump Water.

- F. An order for Pump Water is required and shall be placed for all water pumped into and diverted from District Facilities. The order shall identify the place of discharge, the LRG number of the pump to be used, and the site or location receiving the Pump Water. The pump order shall contain necessary information such as acreage to be irrigated, crop, amount of water to be pumped into District Facilities, and such other and further information as the District may deem necessary. No such pump order is required during the non-irrigation season.
- G. All operations pumping into District Facilities shall be under the supervision of the EBID Watermaster. Upon request of any additional information, the same shall be furnished to the EBID Watermaster, Dispatch/Water Records, or other District representative. Failure to provide the desired information shall constitute sufficient cause for the immediate revocation of all pump orders and any Pump Water Conveyance Permit issued to Permittee who has failed to comply. Upon notice of revocation of the Pump Water Conveyance Permit, prompt removal of the pump access to District Facilities is required and pumping from and into the District Facilities shall immediately cease.
- H. Access is hereby granted to all employees of the District across lands owned or administered by the applicant to any farm well or pumping installation, and to any point of discharge. In addition, such employees may inspect the wells, pumping units or other improvements associated with use of this license by the applicant.
- I. Pump water pumped into District Facilities under a Pump Water Conveyance Permit must be discharged by a pipe no smaller than six inches in diameter.
- J. Should an emergency situation occur such as contamination or other hazard, the Permittee must comply immediately with any damage/hazard mitigation instructions related to the issue.

**SECTION II: EBID Metering Requirements.**

Each of the following metering requirements shall only apply during the irrigation season:

- A. Pump Water will be measured when it is discharged into District Facilities and when it is delivered to the user using a District-approved water measurement method.
- B. The Permittee is responsible for the cost of all metering equipment installed. All maintenance and calibration associated with the upkeep of the pump meter is the sole responsibility of the Permittee. Failure to properly maintain equipment related to metering is grounds for revocation of the Pump Water Conveyance Permit.
- C. EBID requires a Radio Telemetry Unit for all wells that directly discharge into District Facilities. Only components purchased and installed by EBID shall be maintained and calibrated by EBID. All such component parts purchased by EBID shall, at all times, remain the property of EBID. Permittee shall be responsible for all component parts required as part of the Pump Water Conveyance Permit that is not provided by EBID. As an example: Meters such as McCrometer require an analog-to-digital conversion pod. If EBID purchased the pod, then EBID shall be responsible for issues directly related to the pod. All other components such as the propeller and dial assembly shall be the responsibility of the Permittee.

**SECTION III: Equitable Conjunctive Water Use Adjustments.**

- A. When a Permittee is transporting pump water in a District Facility that is already conveying surface water for use within the District, the Permittee may divert the same amount of water from the canal that is pumped into the canal without regard for transportation/conveyance losses.
- B. When a Permittee is pumping into a District Facility that is not otherwise conveying water, the Permittee may divert whatever water is available at the diversion point, and the Permittee will bear all transportation/conveyance losses.

- C. When multiple Permittees are pumping into a District Facility under separate orders for Pump Water, and that Facility is not otherwise carrying water, each Permittee may divert available water in proportion to the amount of water they pump in. Other agreements may be developed among groups of Permittees who may choose to pool their pumping abilities using District Facilities for conveyance, subject to approval by the EBID Watermaster.
- D. Water pumped in and taken out of District Facilities under a Pump Water Conveyance Permit and a properly placed pump order shall be restricted to the same District Facility within the same Unit or as approved by authorized District personnel.
- E. When a Permittee pumps into a District Facility that is already conveying surface water for use within the District, and the Permittee takes more water out of the District Facility than he pumped in, or he takes more than the pump order covered, he must either pump additional usable water into the District Facility upon the request of the EBID Watermaster, or he may choose to charge his surface water account for the difference. If there is no water in the Permittee's surface water account, he shall be required to make up the difference by pumping water upon request of the EBID Watermaster. Failure to comply with this provision may result in a revocation of his Pump Water Conveyance Permit and reduction of future surface water allotments to the Permittee's water account.
- F. When a Permittee pumps into a District Facility that is already conveying surface water for use within the District, and the Permittee takes less water out of the District Facility than he pumped in, or he takes less than the pump order covered, the Permittee shall bear the loss for his failure to take the pump water and he may not seek to take the pump water at a later period unless permitted to do so by the EBID Watermaster.

**SECTION IV: Water Quality.**

- A. Based on water quality considerations, the District may take the following actions in issuing permits for Pump Water:
  - 1. Limit the periods during the irrigation season when pumping into specific District Facilities will be allowed.
  - 2. Limit the total amount of Pump Water that may be permitted to discharge into specific District Facilities.
  - 3. Require the pumped water to meet a TDS standard of less than 2000 TDS.
- B. A written appeal may be made to the EBID Board of Directors regarding any actions taken by the District, or required of the Permittee, on the basis of items A.1, 2, 3. Said written appeal shall state with particularity the grounds for appeal and the requested action to be taken by the Board of Directors.

**SECTION V: Fees and Terms.**

- A. Pump Water will be subject to the following administrative fees:
- B. A fee of \$25.00, plus applicable gross receipts tax, will be assessed for TDS testing when directly pumping into District Facilities, if applicable.
- C. A fee of \$50.00, plus applicable gross receipts tax, will be assessed for the Permit Application and such fee is non-refundable.
- D. The Pump Water Conveyance Permit shall be effective for a period of ten (10) years, so long as, in the sole opinion of the District, it is not causing impairment to any other member, the District Facilities, or to the District. The Permit may be revoked by the District at the sole discretion of the District at any time and such cancellation shall be in writing from the District to the Permittee.
- E. It shall be the sole responsibility of Permittees to obtain and maintain all other necessary/required licenses or permits as may be required by other agencies or laws, such as approval from the State Engineer. Permittees shall maintain all required permits

or licenses as provided for in this paragraph, and failure to do so shall be the basis for revocation of the Pump Water Conveyance Permit.

**SECTION VI: Removal of Equipment and Penalty for Non-Compliance.**

- A. The District may revoke any Pump Water Conveyance Permit and require removal of all associated discharge structures and/or equipment from District Facilities for the following reasons including but not limited to:
  - 1. A determination by the District that the Permittee has, or is, misappropriating water.
  - 2. The use of water is not in accordance with this policy, District rights or other policies, applicable Federal and state law and contracts.
  - 3. Failure to make repairs or corrective measures within 30 days after notification is provided to the Permittee.
- B. The District shall have the right to remove any discharge structures and/or equipment and make repairs to District Facilities to maintain the integrity of the District, even without proper revocation of any Pump Water Conveyance Permit.
- C. Upon revocation of any Pump Water Conveyance Permit, all equipment discharging into District Facilities, or other property belonging to Permittee not otherwise permitted to remain in place shall be removed from the District Facilities within a reasonable time prescribed by the District, and the District Facilities shall be restored to normal operating condition as required by the authorized District representative at the expense of the applicant.
- D. Should the Permittee fail to take necessary action in the time prescribed by the District, the District may take reasonable actions to restore District Facilities to normal operating condition and the Permittee shall be liable for the cost of the restoration. Permittee shall have 30 days to pay the District the cost of the restoration after demand for payment. Permittee agrees that if payment is not made within 30 days, the District, at its option, and in addition to other remedies, may suspend all future deliveries of Surface Water under his account until the cost of the restoration is made.

**Section VII: Pumping Standards During the Non-Irrigation Season.**

- A. Any berms, tarps, or other structures installed or constructed by the pumper/irrigator on or in District Facilities will be removed before the Irrigation Season begins.
- B. Pump Orders will not be required.
- C. For those who pump well water directly or indirectly into District Facilities during both the irrigation season and the non-irrigation Season, the requirements in Sections I – VI apply only during the irrigation season and the same shall not apply during the non-irrigation season.