

RESOLUTION NO 21-01 OF THE BOARD OF DIRECTORS OF THE BORREGO SPRINGS WATERMASTER  
Establishing Standard Forms for Documentation and Approval of Water Rights Transfers  
in the Borrego Springs Subbasin

WHEREAS, the Stipulated Judgment (“Judgment”) provides that Baseline Pumping Allocations (BPA) may be permanently transferred by and among Parties to the Judgment who are in good standing with the Borrego Springs Watermaster (“Watermaster”) in accordance with the requirements of Sections III.I and III.J of the Judgment.

WHEREAS, the Judgment contemplates multiple forms of transfer of rights including permanent transfers of BPA, leases of BPA or annual pumping allocations of BPA, and temporary assignments of annual allocations of BPA.

WHEREAS, the Rules & Regulations of the Borrego Springs Watermaster require that the Watermaster prepare and maintain a report or record of any transfer of BPA among Parties, and annually update Exhibit 4 to the Judgment.

WHEREAS, Section III.I.(7) of the Judgment requires that all Permanent Transfers must be reviewed and approved by Watermaster prior to closing, except for Permanent Transfer of BPA concurrently with the transfer of a BPA Parcel or a Permanent Transfer of a Party’s BPA to other overlying parcels owned by that Party.

WHEREAS, the Watermaster endeavors to provide guidance that will support the Parties in providing the documents and information necessary to obtain Watermaster approval.

WHEREAS, the Watermaster endeavors to apply a consistent process in its review and recording of all forms of transfers in accordance with the requirements of Sections III.I and III.J of the Judgment.

NOW, THEREFORE, be it resolved by the Board of Directors of the Borrego Springs Watermaster, as follows:

1. The Board of Directors hereby approves the attached forms for use in documenting and approving transfers of BPA and Annual Allocations of pumping rights:  
*Transfer of Water Rights: Permanent Transfer of BPA*  
*Transfer of Water Rights: Lease of BPA Rights*  
*Transfer of Water Rights: Transfer of Annual Allocations of Pumping Rights*  
*Transfer of Water Rights: Temporary Assignment of Annual Allocation or Carryover Rights*
2. The Board of Directors hereby directs Watermaster Staff and Legal Counsel to:
  - a. Maintain a copy of the transfer forms that will be made available to the Parties via Watermaster’s website.
  - b. Review and take action to approve or reject all transfer forms in a timely manner, and no later than 60 days following receipt of the transfer form.
  - c. Report approved transfers to the Board for review and file via consent calendar action at a regularly scheduled Watermaster Board meeting.

- d. Update Watermaster's record of BPA rights, in the form of Exhibit 4 to the Judgment, upon approval of each transfer. The most current version of Exhibit 4, with publish date, will be made available on Watermaster's website.

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the Borrego Springs Watermaster held on the 14th day of October 2021, by the following vote:

**AYES:** Duncan, Smith, Seley, Jorgensen, Bennett

**NOES:**

**ABSENT:**



Chairperson of the Board  
Board of Directors



Secretary of the Board  
ATTEST