



## Rules and Regulations

Adopted: October 11, 2023

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## PREAMBLE

These Rules and Regulations of the Merced Irrigation-Urban Groundwater Sustainability Agency are established pursuant to the California Sustainable Groundwater Management Act, including but not limited to Water Code section 10725.2, for the general purpose of implementing the Groundwater Sustainability Plan for the Merced Groundwater Subbasin within MIUGSA, as well as to ensure the orderly, efficient and equitable distribution, use and conservation of local Groundwater resources.

The masculine, feminine or neutral gender and the singular or plural number shall each include the others whenever the context so indicates.

## DEFINITIONS

As used herein, the following words, whether or not initially capitalized, shall have the following meanings:

**“Allocation”** means the amount of Groundwater the Board made available from the natural yield of the Merced Groundwater Subbasin during the Allocation Period.

**“Allocation Period”** means the timeframe during which an Allocation is made available by the Board.

**“Board of Directors”** or **“Board”** means the Board of Directors of the MIUGSA, which is the governing body of MIUGSA.

**“Borderlands”** means land that is owned or managed by a single entity, on both sides of the Management Area boundary, where the following circumstances apply:

- Any parcel(s) located outside the Management Area, and that use Groundwater extracted from a Well located within Management Area.
- Any parcel(s) located inside the Management Area, and that use Groundwater extracted from a Well located outside Management Area.

**“Carryover”** means any unused portion of an Allocation that can be carried forward from one Allocation Period to the subsequent Allocation Period, consistent with these Rules.

**“Developed Water”** means surface water introduced into the local Groundwater aquifer as a result of a developed human infrastructure and management practice.

**“Flow Meter”** means a water measuring device that measures the instantaneous flow and totalizes the volume of Groundwater extracted by a Groundwater Well.

**“Groundwater”** means water beneath the surface of the earth within an aquifer, but does not include surface water that flows in known and definite channels.

**“Groundwater User”** means any Person who puts Groundwater to beneficial use.

**“Groundwater Extractor”** means any Person who withdraws, extracts or otherwise removes Groundwater from the ground. An Owner holding a fee interest in the real property on which a Well is located is conclusively presumed to be a Groundwater Extractor.

**“Intentional Recharge Credits”** means volumetric Groundwater credits applied to a Groundwater account resulting from an approved intentional Groundwater recharge project.

**“Management Area”** means all the land located within the boundary of the MIUGSA. The term Management Area shall include the MIUGSA’s jurisdictional boundaries.

**“Merced GSP”** means the Merced Groundwater Subbasin Groundwater Sustainability Plan

**“MIUGSA”** means Merced Irrigation-Urban Groundwater Sustainability Agency.

**“Overdraft”** means the amount of water extracted from Groundwater resources beyond the Sustainable Yield of the Merced Subbasin within a particular area.

**“Owner”** means any Person owning a fee interest, or lessor interest, such as an easement, leasehold or rental, in the real property within MIUGSA on which a Well is located or on which Groundwater is used. An Owner may be a Groundwater User or Groundwater Extractor, or both.

**“Person”** means a natural person, partnership, limited liability company, association, corporation, irrigation district, municipality, community service district, water and sanity district, agency, or political subdivision of the State or department, agency, or bureau of the United States.

**“Place of Use”** means all the parcels that can be served by a Well using existing private infrastructure. With respect to Place of Use for public agencies or community water systems, Place of Use means all areas served by the public agency’s or community water system’s Wells.

**“Pooling”** means any arrangement in which Allocations are combined in accordance with these Rules.

**“Reallocation”** means the transfer of all or a portion of any available: 1) Allocation; 2) Carryover; or 3) Intentional Recharge Credits from one Groundwater account to another.

**“Red Tag”** means termination of right to extract Groundwater from any Well or use Groundwater upon any and all lands of such Owner or Groundwater User, whether owned or leased.

**“Rules”** means these Rules and Regulations of the MIUGSA.

**“SGMA”** means the Sustainable Groundwater Management Act, as set forth in applicable provisions of the Water Code, as they may be updated from time to time.

**“State”** means the State of California.

**“Undesirable Result”** as defined by SGMA and identified in the Merced GSP, means one or more of the following effects caused by Groundwater conditions occurring throughout the Merced Groundwater Subbasin (DWR Bulletin 118, Subbasin 5-022.04):

- Chronic lowering of Groundwater levels indicating a significant and unreasonable depletion of Groundwater supply if continued over the planning and implementation horizon as defined by SGMA. Overdraft during a period of drought shall not be sufficient to establish a chronic lowering of Groundwater levels if extractions and Groundwater recharge are managed as necessary to ensure that reductions in Groundwater levels or storage during the period of drought are offset by increases in Groundwater levels or storage during other periods.
- Significant and unreasonable reduction of Groundwater storage.
- Significant and unreasonable degraded water quality, including the migration of contaminants or other constituents that impair water supplies.
- Significant and unreasonable land subsidence that substantially interferes with surface land uses.
- Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of surface water supplies.

**“Well”** means any Groundwater extraction facility for extracting Groundwater from within a basin, as defined by SGMA, as well as any Groundwater well, as defined in California Water Code Section 13710.

## **SECTION 1 - GENERAL**

1. The right to extract Groundwater from a Well located within MIUGSA and/or use Groundwater on land located within MIUGSA is subject to full compliance with these Rules, together with any rules or regulations adopted pursuant hereto. Violation of any of these Rules may result in, in addition to any other remedy available to the MIUGSA, the revocation of an Allocation, either in whole or in part, to any and all property of the Owner; termination of the right to extract Groundwater from any and all Wells and/or use Groundwater on any and all property of an Owner; and/or other penalties as set forth by MIUGSA.
2. At any time, but typically before the beginning of each Allocation Period, the Board may adopt rules and/or procedures to supplement these Rules for either that Allocation Period, or another time period as identified by the Board. To the extent there is a conflict with these Rules, the rules and/or procedures subsequently adopted shall control.
3. MIUGSA may use whatever information it deems appropriate to inform any determinations detailed in these Rules.
4. Owners shall be responsible for compliance with these Rules by any agent, such as, for example, a lessee, tenant, employee, consultant, or other invitee of the Owner on their property.
5. Unless otherwise noted in these Rules, all Wells shall comply with the County of Merced's Environmental Health construction specifications.
6. The repair of any existing Well, or construction of any new Well within MIUGSA shall be constructed consistent with any technical requirements of MIUGSA.
  - a. Every Well shall be fitted or retrofitted with, among other things, a Flow Meter, a port for measuring Groundwater and a water quality sampling spigot.
  - b. MIUGSA may develop additional requirements for the repair of an existing Well or construction of a new Well as may be necessary or appropriate.
7. Actions Against MIUGSA

Nothing contained in these Rules shall constitute a waiver by, or stop the MIUGSA from asserting any causes of action, defenses or immunities from liability as provided in any provision of law.
8. Every MIUGSA director, officer, employee, authorized agent, or representative shall have free access, together with appropriate vehicles and equipment, at all times (including weekends and holidays) to enter any land within MIUGSA for any of the purposes, including but not limited to the following: 1) investigating or inspecting public or private municipal, industrial or irrigation facilities that measure, extract or use Groundwater; 2) reading of Flow Meters; 3) verifying the use(s) of and source of water on the land; 4) performing a land or crop survey; 5) confirming compliance with these Rules; and 6) for any other purpose allowed by law.
9. Control of MIUGSA Facilities
  - a. MIUGSA facilities are under the exclusive control and management of the Board, MIUGSA staff and their authorized agents. No other Persons shall have any right to operate or interfere with MIUGSA facilities in any manner, except as expressly authorized herein.

- b. MIUGSA staff and their authorized agents have sole and exclusive right and responsibility to operate MIUGSA facilities. An Owner or Groundwater User may make arrangements in advance with staff to allow the Owner or Groundwater User to operate a MIUGSA facility on a temporary basis.
  - c. Interference with MIUGSA facilities: any interference with or damage to any MIUGSA facility is prohibited. Interference with or damage to MIUGSA facilities includes, but is not limited to, unauthorized encroachments, interference or damage by pedestrians, livestock, vehicles, tampering with or any alteration to MIUGSA facilities or installation or placement of any obstruction or object, whether temporary or permanent, placed on, in, buried under or upon MIUGSA facilities including rights-of-way. Costs for repair of damages to MIUGSA facilities shall be borne by the party causing said interference or damage.
  - d. Limitation of Liability: MIUGSA shall not be liable for any damage caused by MIUGSA facilities operated, managed or interfered with by any Person in violation of these Rules.
10. Limitations of Liability
- a. MIUGSA shall not be liable for damage of any kind or nature resulting directly or indirectly from an Owner's use of a Well or private conveyance facility or the water flowing therein, or for negligent, wasteful, unreasonable or other use or handling of water by the users thereof.
  - b. The Owner is responsible and liable for any damage caused by their negligent, wasteful, unreasonable or other careless use of water or their facilities, or the result of failure to properly operate or maintain any Well or conveyance facility, or other facility for which the Owner is wholly or partially responsible.
11. Waste of Water: all water must be applied efficiently and used in a reasonable and beneficial manner. Any Person who wastes water, such as by excessive extraction or application, ponding, flooding of roads, vacant land, neighboring land, land previously irrigated, or in any other fashion, either willfully, carelessly, or on account of defective or inadequate conduits or facilities, or inadequately prepared land, or by flooding a portion of the land to an unreasonable depth or amount in order to irrigate other portions of the land or other parcels, in which case the Owner may be issued a Notice and Order and/or Red Tag until such conditions are remedied. Such determinations may be made by MIUGSA staff, in their sole discretion.
12. Borderlands: the Board shall adopt policies or technical requirements that apply to Borderlands.
13. Rates and Charges
- a. Each year or at such other time interval as may be convenient for the Board, the Board may establish such policies, rates, charges and fees as may be necessary including, but not limited to, administrative fees, Groundwater extraction fees, and other types of fees or charges as may be necessary or appropriate in the best interest of MIUGSA.
  - b. All charges shall be due and payable as stated by MIUGSA in applicable notices and billing statements.
  - c. Failure to Pay Charges: MIUGSA may issue a Notice and Order and/or Red Tag to any Person if outstanding charges (including any accrued interest and penalties) have not been paid in full by the MIUGSA prescribed payment date. All charges shall be the ultimate responsibility of the recorded Owner(s) of the associated parcel(s), even if a tenant or lessor is a Groundwater Extractor and/or Groundwater User. All delinquent charges and assessments, together with any accrued interest and penalties, may result in either collection through the

County of Merced tax rolls, or a lien on the property and may be collected in accordance with procedures specified in the California Water Code.

14. Regulations

- a. Authority to adopt and implement regulations: the Chair of the Board or his/her designee, General Counsel, or either of them, are hereby authorized to adopt rules or regulations to implement or supplement these Rules. The Chair of the Board or his/her designee, General Counsel, or either of their designees, is authorized to do any and all things necessary or appropriate to implement and effectuate these Rules, and to exercise their reasonable discretion in doing so. Should supplemental rules or regulations be adopted pursuant to this section, a summary of said supplemental rule or regulation will be presented at a meeting of the Board as soon as may be practical.
- b. A violation of a rule or regulation duly adopted pursuant to this subsection shall constitute a violation of these Rules.
- c. The Board may delegate to a member of the Board responsibility to act as an agent or representative of the Board for such matters or tasks as the Board determines are necessary for the accomplishment of the Board's business, subject to approval by the member's board.

15. Variances from Rules

- a. Variance from these Rules may be considered by the Board consistent with the following:
  - i. Any request for a variance must be submitted to staff in writing.
  - ii. The request must be submitted on a form provided by MIUGSA, if any, but shall otherwise include the reason for the request and any information the requester feels the Board may need to consider in determining whether to grant the request.
- b. In considering a request for variance, the Board may take into consideration the following:
  - i. The rule for which a request for variance has been requested.
  - ii. Information submitted with the application.
  - iii. Records of the county assessor; Well permits from the County of Merced; Well registration information and latest Groundwater records.
  - iv. Information submitted by MIUGSA staff.
  - v. Evidence of compliance with other MIUGSA rules, other than the items where variance is requested.
  - vi. Any other information deemed relevant by the Board.
- c. A 2/3 vote of the Board shall be required for the approval of a request for variance. The Board, in its sole discretion, may reconsider any determination made on a request for variance no less than 45 days after its initial decision. Any variance granted by the Board shall not be considered as setting a precedent for future requests for variance.

**SECTION 2 - ALLOCATION OF GROUNDWATER USE, POOLING, REALLOCATIONS, INTENTIONAL RECHARGE CREDITS, ANNUAL DEVELOPED WATER SUPPLY CREDITS**

1. Allocation of Groundwater Use

- a. The Board will determine Allocations on a regular basis. As part of its determination, the Board will describe the length of time for which the Allocation applies, i.e., the Allocation Period, and the amount allocated. Allocations will be made available typically, but not

necessarily, on an acre foot per acre basis, and typically but not necessarily within an Allocation Period. When made on an acre foot per acre basis, Allocations will be made based on Merced County Assessed Acreage.

- i. For Borderlands, acreage for the portion of the parcel(s) within the Management Area will be estimated using the best available information.
    - ii. The Board may establish policies regarding Allocations in a designated portion of the Management Area. The Board may develop unique Allocations to potential designated portion of the Management Areas concerning certain indicators of Undesirable Results, such as depletion of interconnected surface water or subsidence.
  - b. An Owner shall not use Groundwater, nor extract Groundwater from any Well, unless there is a positive balance in his or her groundwater account during the applicable Allocation Period.
  - c. Limited Allocation Year: In addition to an Allocation, the Board may determine that it is in the best interest of MIUGSA and/or the Merced Groundwater Subbasin to impose additional limit(s) on Groundwater extraction in any given year or other defined timeframe, as the case may be. In making its determination, the Board may or may not apply such limitations across the Management Area broadly, or in specific locations.
  - d. Carryover of Allocation
    - i. If an Owner uses less than his/her total Allocation in a given Allocation Period, the volume of Allocation not used in that Allocation Period may be carried over to the next Allocation Period, subject to annual losses, or total accrual limitations as set by the Board.
2. Pooling and Reallocations
  - a. Pooling and Reallocations will be governed by the most recently adopted Groundwater Management Implementation Plan.
3. Intentional Recharge Credits
  - a. Intentional Recharge Credits will be governed by the most recently adopted Groundwater Management Implementation Plan.
  - b. Intentional Recharge Credits shall not be recognized by MIUGSA unless the activity is approved by MIUGSA, in advance and at MIUGSA's sole discretion, and complies with these Rules.
  - c. Prior to approval of Intentional Recharge Credits, MIUGSA will set standards for any activity intended to generate Intentional Recharge Credits, determine performance metrics and require monitoring and/or reporting requirements.
4. Developed Water Supply Credits
  - a. If available from the Owner of a Developed Water supply, Owners may obtain Developed Water supply credits to supplement their Allocation.
    - i. Use of Developed Water supply credits shall be subject to the terms and conditions of the Owner of the Developed Water supply.
    - ii. MIUGSA will not recognize Developed Water supply credits if an Owner has reallocated any portion of their Allocation to another Owner during the same Allocation Period.

### **SECTION 3 - WELL REGISTRATION**

1. Every Well located within the Management Area shall be registered with MIUGSA. Registration



consistent with MIUGSA policy shall be a precondition to operation of said Well. Well registration shall be completed on such forms and include such information as may be required by MIUGSA from time to time. Examples of information that may be required include, but shall not be limited to, name and contact information; the Well's location; date of construction; Well construction and production detail; a copy of the Well completion report; etc.

- a. Owners operating Wells without being registered in accordance with these Rules shall be subject to penalties as established by the Board.
2. Well Place of Use
    - a. Every Well must have an identified Place of Use: The Place of Use shall be identified on such forms, and shall include such information as MIUGSA may require.
    - b. Parcels served by a Well through the wheeling of Groundwater through public infrastructure are not typically considered part of the Place of Use of the Well, unless, in MIUGSA's sole determination, it is determined that the parcel is irrigated in this manner on a consistent basis and the parcel(s) served by wheeling are in close proximity to the other parcels within the Place of Use.

#### **SECTION 4 - FLOW METER REQUIREMENTS**

1. Except as otherwise provided herein, and in addition to any other policy relating to Flow Meters, all Wells shall be installed with, and must be operated with one or more Flow Meters.
  - a. Installation and operation of all Flow Meters must be in accordance with the manufacturer's recommendations.
  - b. Each Flow Meter shall only measure Groundwater from the Well(s) to which it is attached, and shall not measure any other water sources.
  - c. Flow Meters must be installed such that Groundwater applied to parcels within the Management Area is measured separately from Groundwater applied to parcels located outside of the Management Area, regardless of whether the extraction occurs within or outside of the Management Area.
  - d. Additional requirements associated with Flow Meters, including for example, installation deadlines, specifications and other requirements may be adopted by the Board, as needed.
2. Flow Meter Readings, Inspections, and Maintenance
  - a. In addition to any other property or access rights set forth herein, MIUGSA staff, Board members and their agents shall have rights of access to and from Wells to read the Flow Meter on a periodic basis and to inspect the Flow Meter for, amongst other things, if the Flow Meter is installed in accordance with the manufacturer's recommendations, is properly calibrated and in good working condition.
    - i. MIUGSA will read Flow Meters periodically for Groundwater accounting purposes.
3. It shall be a violation of these Rules to damage, alter, remove, reset, adjust, manipulate, obstruct, or in any manner interfere with or tamper with any Flow Meter, or to cause, procure, or direct any other Person to do so.
4. Owners operating Wells without a Flow Meter(s) installed and maintained in accordance with these Rules shall be subject to penalties as established by the Board.

#### **SECTION 5 - WATER ACCOUNTING**

1. Determination of Groundwater Extraction

- a. Determinations of volumes of Groundwater extraction shall be made by MIUGSA in its sole discretion, using the best information it has available.
    - i. If a Flow Meter is properly installed and operated consistent with these Rules, the amount of Groundwater extraction applied to a Place of Use will typically be based on periodic readings of the Well(s) Flow Meter by MIUGSA or its agents.
    - ii. Absent a Flow Meter, MIUGSA may estimate the amount of Groundwater extraction applied to a Place of Use (or parcel) using the best information available, including, for example, evapotranspiration data, precipitation data, surface water delivered to a parcel and efficiency estimates, all as determined by MIUGSA.
  - b. MIUGSA may require the provision of any information it deems reasonable or appropriate that will enable staff to determine the amount of Groundwater used on a property, including, but not limited to:
    - i. The amount of energy used to operate any Well. Such information shall be provided upon request and within the time frame requested.
    - ii. The timing, location, and volume of surface water used, together with any backup information that may be appropriate.
2. Accounting of Groundwater Extraction to Count Against Allocation
    - a. MIUGSA shall assume that all Groundwater extraction and consumption is from the Allocation, unless the Owner has Carryover, Intentional Recharge Credits or Developed Water Supply credits, all in accordance with these Rules.
    - b. When determining Groundwater extraction to count against the Allocation and unless otherwise approved by MIUGSA in advance, MIUGSA will account for Groundwater extraction in the following order:
      - i. Developed Water Supply credits
      - ii. Carryover
      - iii. Intentional Recharge Credits
      - iv. Allocation
  3. See the most recently adopted Groundwater Management Implementation Plan for additional information on accounting for Groundwater extraction to count against the Allocation.
  4. Extraction of Groundwater in excess of an Allocation shall be subject to penalties as established by the Board.

## **SECTION 6 - PENALTIES AND ENFORCEMENT OF RULES AND REGULATIONS**

1. Any Person who violates these Rules may become subject to criminal prosecution and civil liability, as well as penalties as determined by the Board.
  - a. Offenses shall result in charges in the penalty amount(s) currently set by the Board and additional charge for each occurrence.
2. Violation of these Rules may result in forfeiture of an Allocation for the remainder of the Allocation Period.
3. Overextraction and/or Unauthorized Use of Groundwater: For the purpose of applying penalties, MIUGSA shall be entitled to make a reasonable estimation of the Groundwater extracted and/or used, and the number of occurrences of unauthorized taking using any information it has

available. Reasonable estimates made by staff that are not appealed to the Board, or not amended by the Board on appeal, shall be deemed conclusive and final.

4. In addition to any other remedy available to MIUGSA, MIUGSA may enforce violations of this section by seeking immediate injunctive relief from the California Superior Court requiring the cessation of unauthorized extraction or use of Groundwater, in addition to any other remedies permitted under these Rules or applicable law, including the recovery of any fees, penalties, and costs expended by MIUGSA to obtain such relief.
5. Notice and Orders
  - a. The Chair of the Board or his/her designee, General Counsel, or either of them is authorized to issue a Notice and Order to any Owner or Groundwater User determined to be in violation of any rule herein. An oral or written warning may be issued in lieu of a Notice and Order.
  - b. The Notice and Order shall contain a brief description of the violation and a statement of the corrective action to be taken by the Owner or Groundwater User.
  - c. A Notice and Order may or may not be accompanied by a Red Tag, in MIUGSA's discretion.
  - d. Service of Notice and Orders: Each Notice and Order shall be served upon the Owner or Groundwater User either personally or by regular U.S. mail at the address indicated in MIUGSA's records. Service by mail shall be effective on the date of mailing.
6. Red Tags for Failure to Comply with Rules or Regulations
  - a. Violation of any of these Rules, or failure or refusal of any Owner or Groundwater User to comply with any of these Rules, shall be sufficient grounds for the issuance of a Red Tag, without liability for any loss or inconvenience. A Red Tag issuance will remain until there is full compliance with all MIUGSA Rules.
  - b. The Chair of the Board or his/her designee, General Counsel, or either of them is authorized to issue a Red Tag under any of the following circumstances:
    - i. If the land or Well in question is in such a condition so as to make it immediately dangerous to any Person, to the public, or to any property, including but not limited to the flooding of property.
    - ii. If the Owner has failed to comply with a prior MIUGSA Notice and Order or warnings pertaining to the same or similar problem, including corrective actions to be taken.
    - iii. Any violation of these Rules or regulations adopted pursuant hereto.
  - c. Issuance of a Red Tag may be included in a Notice and Order.
  - d. When a Red Tag is issued, the Board will be notified at an upcoming Board meeting, as determined by MIUGSA staff. However, failure to notify the Board of the issuance of a Red Tag shall not invalidate its issuance or enforceability.
  - e. The Notice and Order including issuance of a Red Tag may also be posted on the affected land or Well.
7. Compliance with Notice and Orders and Decisions
  - a. After a Notice and Order or a decision of the Chair of the Board or his/her designee, General Counsel, or either of them, or of the Board has become final, no Person to whom any such order or decision is directed shall fail, neglect, or refuse to obey any such Notice and Order or decision.
  - b. If, after a Notice and Order or decision has become final, the Person to whom such Notice

and Order or decision is directed fails, neglects, or refuses to comply with such Notice and Order or decision, MIUGSA may refuse or continue to refuse the Owner the right to extract Groundwater from any Well or to use Groundwater on any and all land owned or operated by that Person, and the MIUGSA may institute such other actions or proceedings as may be appropriate under these Rules or applicable law, including but not limited to a request for a court order or injunction.

#### 8. Appeals of Notice and Orders and Red Tags

- a. Any Owner affected by a Notice and Order and/or Red Tag may appeal said Notice and Order and/or Red Tag. A Notice and Order, either with or without a Red Tag, becomes final if a written appeal is not filed with the Chair of the Board within ten (10) calendar days of the date of such Notice and Order. If denied, the decision may be appealed to the Board. However, the decision shall become final if a written appeal to the Board is not filed within ten (10) calendar days of the date of service of the denial. The Board's decision becomes final on the day the decision is issued.
- b. If the final decision requires compliance with the Notice and Order or any portion thereof and a Red Tag is issued for failure to comply with the Notice and Order, no further appeal is allowed and the Owner must fully comply with the Notice and Order and demonstrate compliance with all MIUGSA Rules before the Red Tag is removed.

#### 9. Penalties

- a. Either in lieu of or in addition to the Notice and Order and Red Tag provisions set forth hereinabove, MIUGSA may impose any or all of the following:
  - i. Any Person in violation of any of these Rules is subject to monetary penalties, in an amount to be adopted by the Board, and updated from time to time.
  - ii. The extraction and/or use of Groundwater in a manner inconsistent with these Rules is a violation of these Rules. Offenses shall result in charges in the amount(s) currently set by the Board.
  - iii. Subsequent violation(s) of these Rules may result in the issuance of a Red Tag for the remainder of the Allocation Period, as well as additional charges in the amount(s) currently set by the Board.
  - iv. MIUGSA shall be entitled to make a reasonable estimation of the Groundwater extracted and/or used and the number of occurrences of unauthorized extraction/use using any information it has available. Reasonable estimates made by staff that are not appealed to the Board, or not amended by the Board on appeal, shall be deemed conclusive and final.
- b. In addition to any other remedy available to MIUGSA, the Board hereby authorizes Chair of the Board through its General Counsel to enforce violations of these Rules by seeking immediate injunctive relief from the Superior Court requiring the cessation of unauthorized extractions and/or use of Groundwater, in addition to any other remedies permitted under these Rules or applicable law, including the recovery of any fees, penalties and costs expended by MIUGSA to obtain such relief.

## APPENDIX

The Merced Irrigation-Urban Groundwater Sustainability Agency is a California groundwater sustainability agency, organized and operating under the Sustainable Groundwater Management Act contained in the California Water Code and other applicable provisions of law. Applicable provisions of California law set forth generally the powers and purposes of a groundwater sustainability agency, including the broad power to do any act necessary or proper to carry out the purposes of a groundwater sustainability agency, and to perform all acts necessary to carry out its powers and purposes.

Water Code section 10725.2 provides in part, as follows:

“A groundwater sustainability agency may adopt rules, regulations, ordinances, and resolutions for the purpose of this part, in compliance with any procedural requirements applicable to the adoption of a rule, regulation, ordinance or resolution by the groundwater sustainability agency.”

Water Code section 10725.6 provides in part, as follows:

“A groundwater sustainability agency may require registration of a groundwater extraction facility within the management area of the groundwater sustainability agency.”