



January 29, 2025

Erik Ekdahl, Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Dear Mr. Ekdahl:

This letter provides California American Water's consolidated report for the 1st quarter of Water Year 2025 covering the period of October 01, 2024 to December 31, 2024, in compliance with SWRCB Order 95-10, as amended, Order WR 2009-0060, as amended, and Order WR 2016-0016.

**I. Compliance with SWRCB Order 95-10, as amended, quarterly reporting requirements**

**Condition 13:** *Starting with the first full month following adoption of this Order, Cal-Am shall file quarterly with the Chief, Division of Water Rights:*

*13(a) Reports of the monthly total amounts being: (1) pumped from wells; and (2) diverted from the Carmel River. Reports of the total monthly amount being pumped from wells shall show the amount being pumped from each well and shall show the location of each well.*

**(1) Please see Attachment 1**

**(2) Please see Attachment 2, Table 1A.**

*13(b) Reports of the progress being made in complying with the schedule submitted to comply with Condition 11 (Cal Am to be responsible for implementing all measures in the "Mitigation Program for the District's Water Allocation Program Environmental Impact Report" not implemented by the District after June 30, 1996).*

**The Monterey Peninsula Water Management District "District" continues to implement the measures in the mitigation program.**

*13(c) Reports of the progress being made in complying with Conditions 4, 5 6, 7, 8 and 9.*

*Condition 4 (Cal-Am shall maximize production from the Seaside aquifer for the purpose of serving existing connections, honoring existing commitments*

*(allocations), and to reduce diversions from the Carmel River to the greatest practicable extent during periods of low flow.)*

**California American Water's ability to "maximize production from the Seaside aquifer" must be viewed in light of the 2006 adjudication of the Seaside Basin.**

**During periods of Carmel River low flow, Cal-Am maximizes Seaside Basin production in accordance with the amended Decision and minimizes Carmel River diversion to the greatest practical extent, consistent with customer demand and Seaside Basin constraints.**

**When Carmel River flows exceed 40 cfs at the Highway 1 Bridge from November 1 to April 30, Cal-Am maximizes its authorized Carmel River diversion; to the greatest practical extent, consistent with customer demand and Seaside Basin constraints, Cal-Am minimizes diversions from the Seaside Basin.**

**Please refer to Attachment 1 and Attachment 2.**

*Condition 5 (extraction from most downstream wells to the extent feasible without inducing sea water intrusion or unreasonably affecting operation of other wells).*

**California American Water has a standard operating procedure to operate the Carmel Valley wells in order from downstream to upstream, and as further modified by Condition 6. Operations staff have represented to me that the wells have been operated in accordance with those standard operating procedures.**

*Condition 6 (Pursuant to SWRCB Order No. WRO-2002-002, California American Water complies with Condition 6 by operating the Carmel Valley wells in the following manner:*

*No water is to be drawn from San Clemente Dam during low flow periods, which are defined as flows less than 20 cfs for five consecutive days measured at the Don Juan Bridge.*

*Reduced diversions from Garzas Wells 3 and 4, the Panetta Wells 1 and 2, the Robles Well 3, the Scarlett 8 Well, and Los Laureles Wells 5 and 6 during low flow periods to a maximum of two eight-hour days per month, except that wells that operated a maximum of one eight-hour day per month at the time of WRO 2002-002 shall continue to operate for no more than one eight-hour day per month.*

*During low flow periods, all demand but for 0.5 cfs from the "Carmel Valley Village Zone," as defined, is to be met from the "Begonia Zone" as defined. The order requires California American Water to install the necessary infrastructure to operate in this manner, and limited the Russel Wells to an instantaneous diversion rate of no more than 0.5 cfs during low flow periods.):*

**The last paragraph of Condition 6 is completed, based on removal of Carmel Valley Filter Plant and installation of Del Monte Booster Station that**

**transfers water from the Begonia Zone to the Clearwell. For the remainder of this condition that still applies, please see Attachment 3**

*Condition 7 (within 5 months of order, conduct a study re feasibility of bypassing early storm runoff at Los Padres and San Clemente Dams):*

**California American Water has complied with this Condition.**

*Condition 8 (within 12 months of order, conduct a study of feasibility, benefits and costs of modifying critical stream reaches to facilitate fish passage):*

**California American Water has complied with this Condition.**

*Condition 9 (studies conducted by appropriate professionals, reports transmitting studies under 6, 7 and 8 to describe proposed actions, respond to comments on study):*

**California American Water has complied with this Condition.**

13(d) *Cal-Am shall submit a quarterly water budget 30 days after approval by the District.*

**Please see Attachment 4. The quarterly water budget is also included in the District's board packet with subsequent meeting minutes indicating approval or modification. The latest District board packet information can be found at the following website: <https://www.mpwmd.net/who-we-are/board-of-directors>.**

## **II. Compliance with SWRCB Order 2009-0060, quarterly reporting requirements**

**Condition 6:** *Starting three months following adoption of this order, Cal Am shall post quarterly reports on its website and file quarterly reports with the Deputy Director for Water Rights. The quarterly reports shall include the following:*

6(a) *Monthly summaries of the quantity of water it diverts from the river.*

**Please see Attachment 2, Table 1A.**

6(b) *Monthly summaries of the quantity of ASR project water diverted from the river under Permit 20808A and stored in the Seaside ground water basin. The monthly reporting shall also state the quantity of water beneficially used under Permit 20808A and the current balance of water in storage.*

**Superseded by SWRCB Order 2016-0016, condition 8.b.**

6(c) *Monthly summaries of the quantity of water being produced by the Sand City desalination plant. The reporting shall identify new service connections within Sand City and thereafter report the quantity of water being delivered to the new connections. The monthly reports shall specify the quantity of water used to reduce diversions from the river during the reporting period.*

**Please see Attachment 2, Table 1B for monthly quantities of water produced by the Sand City desalination plant. Attachments 5 and 6 identify connection authorization and**

permitting by Monterey Peninsula Water Management District. California American Water requests the State Water Resources Control Board maintain information on Attachment 5 and 6 as confidential. Effective 1/1/2022, the remainder of this condition is no longer applicable.

6(d) *Monthly summaries of the quantity of water saved by reducing system losses.*

Effective 1/1/2022, this condition is reported as an annual summary of efforts to reduce system losses via California American Water's Annual Water Loss Report Submission for its Monterey Systems pursuant to California Code of Regulations, Title 23, Section 638.5 to CA Department of Water Resources. Submitted reports for past years can be found here: <https://wuedata.water.ca.gov/>. These annual reports are also available upon request.

6(e) *Monthly summaries of reductions in demand for potable water due to conservation actions such as increased water rates, MPWMD's retrofit program, efforts to reduce potable water for outdoor water use and demand reduction initiatives.*

Effective 1/1/2022, this condition is reported as an annual summary of quantifiable and measurable water savings associated with conservation actions via California American Water's "Water Conservation Annual Summary Report" filed as part of Schedule E-3 of the Annual California Public Utilities Commission ("CPUC") Reports per CPUC Decision D.10-06-038. These annual reports will be posted to a CPUC ftp site at <ftp://ftp.cpuc.ca.gov/waterannualreports/> and will also be posted to the Monterey Water Conservation website at [www.montereywaterinfo.org](http://www.montereywaterinfo.org).

6(f) *Monthly summaries identifying all new service connections. The report shall include the Cal-Am account number, the service address, the name of each authority granting any approval required for connecting to Cal-Am's system and the name of each authority granting any approval required before commencing construction; the issuer of each approval and the date of each approval shall be separately listed for each service address.*

In compliance with Monterey Peninsula Water Management District regulations, California American Water does not connect new customers unless the prospective customer provides California American Water with a water connection permit issued by the Monterey Peninsula Water Management District.

Attachment 5 is a list of all new connections authorized by the Monterey Peninsula Water Management District. Attachment 5 is being provided under separate cover as it contains confidential customer account information. California American Water requests the State Water Resources Control Board maintain this information as confidential. This report includes prospective customers who have presented California American Water with a water connection permit, even if that customer has not requested a meter to be immediately installed. If the customer has provided California American Water with the water connection permit, but has not requested a meter to be installed, the entry on Attachment 5 has no "Installed Date."

The new connection count does not include emergency fire service connections or the splitting of master meter connections into individual accounts, as neither of these activities increases water use.

6(g) *Monthly summaries identifying existing service addresses that receive an increased supply of water due to a change in zoning or use. The report shall include Cal-Am account number, the service address and the name of each authority authorizing a change of use or of zoning and the date of such change.*

**Attachment 6 is a list of permits issued by the Monterey Peninsula Water Management District authorizing changes to existing service addresses that will result in an increased use of water through a change in zoning or use. Attachment 6 is being provided under separate cover as it contains confidential customer account information. California American Water requests the State Water Resources Control Board maintain this information as confidential. Although not clearly a “change in zoning or use,” Attachment 6 includes permits issued for additions to, or remodeling of, an existing service address where that addition or remodel has been determined by the Monterey Peninsula Water Management District to result in increased water consumption. Other than California American Water account number and service location, all data in Attachment 6 was compiled or calculated by the Monterey Peninsula Water Management District. Where there were clear clerical errors in data entry, California American Water corrected those errors in compiling this report.**

***Condition 7:*** *Starting six months after adoption of this order, Cal-Am shall file quarterly reports of its progress toward implementing Condition 3 [sic, 5] (small project implementation) and note specifically any problems with its schedule of implementation.*

**Superseded by SWRCB Order 2016-0016, condition 11.**

### **III. Compliance with SWRCB Order 2016-0016, quarterly reporting requirements**

***Condition 8:*** *In addition to the reporting required elsewhere in this order or required under WRO 2009-0060 ordering paragraph 6, except as specified, Cal-Am shall provide and post on its website the following information in quarterly reports:*

**8a.** *Monthly summaries of the total quantity of water produced from the Carmel River, and other separate sources of water used by Cal-Am within the service area.*

**Please see Attachment 2, Tables 1A and 1B.**

**8b.** *Monthly summaries of the total quantity of ASR project water diverted from the river under water right Permits 20808A and 20808C and stored in the Seaside Groundwater Basin, including the separate accounting of the amounts pumped in excess of 600 afa. The monthly reporting shall also state the quantity of ASR water recovered from aquifer storage and beneficially used, and the current balance of ASR water remaining in storage in the Seaside Groundwater basin. This paragraph supersedes WRO 2009-0060, ordering paragraph 6(b).*

**Please see Attachment 2, Tables 1A, 1B, and 1C for monthly summaries of ASR diversions to storage, recovery for beneficial use, and balance in storage. Effective 1/1/2022, the remainder of this condition is no longer applicable.**

**8c.** *Monthly summaries of the quantity of water being supplied by the Malpaso Water Company to Cal-Am and to Malpaso customers supplied using Cal-Am facilities. The reporting shall identify the amount of water used at Cal-Am’s existing meter connections and within the Cal-Am service area, and the amounts used at new service connections served by Malpaso Water Company. The monthly reports shall specify the quantity of water used to reduce diversions from the river during the reporting period.*

**Please see Attachment 1 and Attachment 2, Table 1A for monthly quantities of water produced. Effective 1/1/2022, the remainder of this condition is no longer applicable.**

**8d.** *Monthly summaries of the quantity of water produced by the City of Pacific Grove, and the quantity of water used to reduce diversions from the river during the reporting period. Cal-Am*

shall not deliver water produced by the City of Pacific Grove unless such use is consistent with Resolution 2015-0070, paragraph 4.

**Effective 1/1/2022, this condition is no longer applicable.**

8e. For the final quarter of each water year, the report shall include the quantification and basis of any credits earned and of any amount being carried over for future years.

**Effective 1/1/2022, this condition is no longer applicable.**

8f. An accounting of the progress towards completion of the Water Supply Project MPWSP Desalination Plant and Pure Water Monterey Project that identifies all progressive steps completed during the previous 12 months and the upcoming 12 month's anticipated progress, and discussion of potential setbacks that may be beyond the Applicant's control.

**Effective 1/1/2022, this condition is no longer applicable. For general MPWSP and PWM updates, please refer to the following websites [www.watersupplyproject.org/update](http://www.watersupplyproject.org/update) and <https://montereyonewater.org/261/Pure-Water-Monterey-Overview>.**

**Condition 11:** Cal-Am shall file quarterly reports of its diversions under Paragraph 5 (small project implementation) of State Water Board Order WR 2009-0060.

**Please see Attachment 2, Tables 1A, 1B, and 1C for monthly summaries of combined ASR diversions under Permits 20808A (effective November 30, 2007) and 20808C (effective November 30, 2011).**

#### **Conclusion**

This concludes our report for the 1st quarter of Water Year 2025. Should you or your staff have any questions please call me at your earliest convenience at (626) 614-2510.

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this report and any accompanying documents are true and correct, with full knowledge that all statements made in this report are subject to investigation and that any false or dishonest statements may be grounds for prosecution.

Sincerely,



Garry Hofer  
Vice President, Operations  
California American Water

Attachments (6)

Enclosures

cc: K. Tilden  
S. Vartanian  
M. Magretto  
K. Horning, Esq.  
D. Stoldt

**CALIFORNIA AMERICAN WATER**  
**Monterey District**  
**UPPER CV WELLS - PRODUCTION (AF)**  
**Water Year 2024-2025**

	Panetta #1	Panetta #2	Garzas #3	Garzas #4	LL #5	LL #6	Total AF
Oct	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nov	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dec	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Jan							0.00
Feb							0.00
Mar							0.00
Apr							0.00
May							0.00
Jun							0.00
Jul							0.00
Aug							0.00
Sep							0.00
<b>TOTAL AF</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**CALIFORNIA AMERICAN WATER**  
**Monterey District**  
**LOWER CV WELLS - PRODUCTION (AF)**  
**Water Year 2024-2025**

	Berwick #8	Berwick #9	Begonia #2	Schulte #3	Pearce	Cypress #2	R. Canada #2	Total AF
Oct	6.95	41.37	35.70	55.87	96.78	37.34	22.07	296.09
Nov	0.87	34.99	35.54	161.79	84.55	42.61	21.55	381.90
Dec	10.44	27.36	26.45	164.67	36.02	44.08	9.42	318.44
Jan								0.00
Feb								0.00
Mar								0.00
Apr								0.00
May								0.00
Jun								0.00
Jul								0.00
Aug								0.00
Sep								0.00
<b>TOTAL AF</b>	<b>18.26</b>	<b>103.72</b>	<b>97.69</b>	<b>382.33</b>	<b>217.36</b>	<b>124.03</b>	<b>53.04</b>	<b>996.44</b>

**CALIFORNIA AMERICAN WATER**  
**Monterey District**  
**EASTWOOD-CANADA WELL - PRODUCTION (AF)**  
**Water Year 2024-2025**

Malpaso Production	
Oct	8.92
Nov	8.71
Dec	8.53
Jan	
Feb	
Mar	
Apr	
May	
Jun	
Jul	
Aug	
Sep	
<b>TOTAL AF</b>	<b>26.16</b>

Table 1A Total Quantity of Water Produced from Carmel River					
Month	Total Carmel Valley Wells <sup>1</sup> (AF)	Malpaso Well Production (AF)	Table #13 (AF)	ASR Diversion (AF)	Amounts diverted collectively under License 11866, claimed riparian and claimed pre-1914 appropriative rights <sup>2</sup>
October 2024	305.01	8.92	0.00	0.00	296.09
November 2024	390.61	8.71	0.00	0.00	381.90
December 2024	326.98	8.53	0.00	0.00	318.44
<b>Q#1 TOTAL</b>	<b>1,022.60</b>	<b>26.16</b>	<b>0.00</b>	<b>0.00</b>	<b>996.44</b>
<b>WYTD</b>	<b>1,022.60</b>	<b>26.16</b>	<b>0.00</b>	<b>0.00</b>	<b>996.44</b>
January 2025					0.00
February 2025					0.00
March 2025					0.00
<b>Q#2 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,022.60</b>	<b>26.16</b>	<b>0.00</b>	<b>0.00</b>	<b>996.44</b>
April 2025					0.00
May 2025					0.00
June 2025					0.00
<b>Q#3 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,022.60</b>	<b>26.16</b>	<b>0.00</b>	<b>0.00</b>	<b>996.44</b>
July 2025					0.00
August 2025					0.00
September 2025					0.00
<b>Q#4 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,022.60</b>	<b>26.16</b>	<b>0.00</b>	<b>0.00</b>	<b>996.44</b>

<sup>1</sup> Includes Malpaso Diversion, Table #13, and ASR Diversion

<sup>2</sup> Carmel Valley Well Diversion minus Malpaso, Table #13, and ASR Diversion

Table 1B Additional Sources of Supply and Storage Balances					
Month	Seaside Total <sup>3</sup> (AF)	PWM Recovery (AF)	ASR Recovery (AF)	Seaside Native (AF)	Sand City Desal (AF)
October 2024	506.87	269.55	0.00	237.32	27.62
November 2024	317.50	285.00	0.00	32.50	14.26
December 2024	308.34	278.00	0.00	30.34	16.95
<b>Q#1 TOTAL</b>	<b>1,132.70</b>	<b>832.55</b>	<b>0.00</b>	<b>300.15</b>	<b>58.83</b>
<b>WYTD</b>	<b>1,132.70</b>	<b>832.55</b>	<b>0.00</b>	<b>300.15</b>	<b>58.83</b>
January 2025				30.00	
February 2025				30.00	
March 2025				30.00	
<b>Q#2 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>90.00</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,132.70</b>	<b>832.55</b>	<b>0.00</b>	<b>390.15</b>	<b>58.83</b>
April 2025				30.00	
May 2025				221.01	
June 2025				178.29	
<b>Q#3 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>429.30</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,132.70</b>	<b>832.55</b>	<b>0.00</b>	<b>819.45</b>	<b>58.83</b>
July 2025				260.33	
August 2025				181.32	
September 2025				62.18	
<b>Q#4 TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>503.83</b>	<b>0.00</b>
<b>WYTD</b>	<b>1,132.70</b>	<b>832.55</b>	<b>0.00</b>	<b>1,323.28</b>	<b>58.83</b>

<sup>3</sup> Includes ASR Recovery, Pure Water Monterey (PWM) Recovery, Seaside Native, and Water Wheeling Agreements with D.B.O.

Development No. 30 and Cypress-Pacific.

Table 1C Total Quantity of Stored Water Available for Drought		
Quarter	PWM Drought Reserve (AF)	ASR Bank (AF)
Cummulative through Q#1	0.00	3,676.65
Cummulative through Q#2		
Cummulative through Q#3		
Cummulative through Q#4		
<b>Cummulative WYTD</b>	<b>0.00</b>	<b>3,676.65</b>

**Attachment 3**

**Compliance with Condition 6**

In compliance with WRO 2002 002, California American Water installed a pump that delivers water from the Begonia zone to the Carmel Valley Village in March 2002.

The status of Carmel Valley wells during the reporting period is as follows:

<b>Lower Carmel Valley Wells</b>	<b>Status</b>
Rancho Cañada #2	On Line
Cypress #2	On Line
Pearce	On Line
Schulte #3	On Line
Begonia #2	On Line
Berwick #8	On Line
Berwick #9	On Line
<b>Eastwood-Cañada Well</b>	<b>Status</b>
Eastwood-Cañada Well	On Line
<b>Upper Carmel Valley Wells</b>	<b>Status</b>
Panetta #1	Off Line
Panetta #2	Off Line
Garzas #3	Off Line
Garzas #4	Off Line
Los Laureles #5	Off Line
Los Laureles #6	Off Line

The low flow conditions, as defined by Order 2002 002, existed October 01, 2024 - November 22, 2024, December 03, 2024 - December 13, 202, and December 23, 2024 - December 24, 2024.

California American Water was in compliance with Condition 6.

Please note, reference to San Clemente Dam, Russell Wells, Scarlett Well #8, Manor #2, San Carlos #2, Schulte #2, and Robles #3 no longer applies, as these have been removed/destroyed.

**EXHIBIT 7-A**

**California American Water Main Distribution System  
Quarterly Water Supply Strategy and Budget: October - December 2024  
Proposed Production Targets by Source and Projected Use in Acre-Feet**

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Oct-24	Nov-24	Dec-24	Oct-23 - Aug-24	% of YTD	% of Annual Budget
<b>Source</b>						
<u>Carmel Valley Aquifer</u>						
Upper Subunits (95-10)	0	0	0	1,211		
Lower Subunits (95-10)	250	230	230	1,770	45.4%	23.0%
Diversions for Injection (ASR)	0	0	0	1,518		
Upper and Lower (Table 13)	0	0	0	410		
<b>Total</b>	<b>250</b>	<b>230</b>	<b>230</b>			
<u>Seaside Groundwater Basin</u>						
Coastal Subareas	253	116	66	1,483	100.0%	81.5%
ASR Recovery	0	0	0	0	0.0%	79.2%
Sand City Desalination	25	25	25	101	36.7%	33.7%
Pure Water Monterey	330	330	330	3,042		
<b>Total</b>	<b>608</b>	<b>471</b>	<b>421</b>			
<b>Total for All Sources</b>	<b>858</b>	<b>701</b>	<b>651</b>			
<b>Use</b>						
Customer Service (95-10 & SGB)	858	701	651			
ASR Injection	0	0	0			
Customer Service (Table 13)	0	0	0			
<b>Total</b>	<b>858</b>	<b>701</b>	<b>651</b>			

Notes:

1. The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
2. Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (4,850 AF) times the average percentage of annual production for October, November, and December 9.1%, 7.5%, and 6.7% , respectively). According to District Rule 160, the annual production total was based on the assumption that production from the Coastal Subareas of the Seaside Groundwater Basin would not exceed 1,474 AF and production from Carmel River sources would not exceed 3,376 AF in WY 2023. The average production percentages were based on monthly data for customer service from WY 2013 to 2018.
3. Anticipated production for ASR injection is based on an average diversion rate of approximately 4,500 gallons per minute (gpm) or 19.9 AF per day from CAW's sources in the Carmel River Basin. "Total" monthly CAW "Use" includes water for customer service and water for injection into the Seaside Basin.
4. The production targets for CAW's wells in the Upper Subunits of the Carmel Valley Aquifer are set at 0 assuming low flow periods.
5. The production target for CAW's wells in the Seaside Coastal Subareas in December is based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
6. The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full native water allocation during WY 2023 to be in compliance with SWRCB WRO No 2016-0016.
7. It should be noted that monthly totals for Carmel Valley Aquifer sources may be different than those shown in MPWMD Rule 160, Table XV-3. These differences result from monthly target adjustments needed to be consistent with SWRCB WRO 98-04, which describes how the Cal-Am Seaside Wellfield is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
8. Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "in Basin use" (3.25 AFD) when flows in the River exceed threshold values.