

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 24955 PERMIT 17593 LICENSE _____

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
ADDING A WATER MANAGEMENT PLAN,
A LICENSING CONDITION AND AMENDING THE PERMIT**

WHEREAS:

1. Permit 17593 was issued to Redwood Valley County Water District, on April 9, 1979 pursuant to Application 24955.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
4. Permittee, under the Board's Water Conservation Program, is considered an Urban water supplier and is therefore required to develop and implement an urban water conservation plan or actions. Therefore, Standard Permit Term 29B should be added to the permit.
5. Permittee under permit Condition 24, is required to provide data concerning storage facilities, and under permit Condition 26 is required to maintain daily records of the amounts and rates of diversions from Lake Mendocino. To facilitate licensing the project, in a timely manner, a condition should be added to this order directing permittee to consult with Division of Water Rights staff regarding these requirements.
6. Permit Condition 12 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 8 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE December 31, 1993 (0000008)

2. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE December 31, 2002 (0000009)

3. Condition 12 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (000012)

4. Condition 31 is added to this permit as follows:

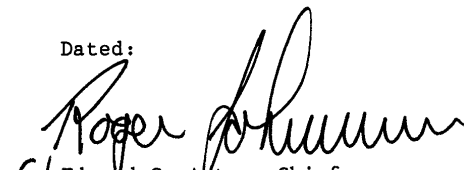
Permittee shall consult with the Division of Water Rights and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the State Water Resources Control Board for approval within one year from the date of this order or such further time as, for good cause shown, may be allowed by the Board. A progress report on the development of a water conservation program may be required by the Board at any time within this period.

All cost-effective measures identified in the water conservation program shall be implemented in accordance with the schedule for implementation found therein. (000029B)

5. Condition 32 is added to the permit as follows:

Permittee shall, within one year from the date of this order, consult with the Division of Water Rights and develop a plan, satisfactory to the Chief of the Division of Water Rights, for submittal of data and maps on the quantities of water directly diverted and diverted to storage under this permit. (0100700)

Dated:


Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 17593

Application 24955 of Redwood Valley County Water District
P. O. Box 412, Redwood Valley, California 95470

filed on December 10, 1975, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:	Tributary to:
1. <u>East Fork Russian River</u>	<u>Russian River</u>
2. <u>Lake Mendocino</u>	<u>East Fork Russian River</u>
3. <u>(unknown at this time)</u>	_____
_____	_____
_____	_____

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
<u>Coyote Dam</u> <u>T. N45°10'E, 2590 ft from SW Corner</u> <u>of Projected Section 34</u>	<u>NE¼ of SW¼</u>	<u>34</u>	<u>16N</u>	<u>12W</u>	<u>MD</u>
<u>Direct Diversion and Diversion to Storage</u> <u>2. N568,300 and E1,666,600, California</u> <u>Coordinate System, Zone 2</u>	<u>NW¼ of NE¼</u>	<u>27</u>	<u>16N</u>	<u>12W</u>	<u>MD</u>
<u>Storage and Rediversion</u> <u>3. Various reservoirs, as yet unspecified,</u> <u>within the boundaries of the Redwood</u> <u>Valley County Water District</u>					

County of Mendocino

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
<u>Domestic</u>						
<u>Frost Protection</u>						
<u>Irrigation</u>	<u>Irrigation of a net area of</u> <u>3,300 acres within a gross</u> <u>area of 5,000 acres and other</u> <u>given uses within the bound-</u> <u>aries of the Redwood Valley</u> <u>County Water District in T16</u> <u>and 17N, R12W, MDB&M</u>					

The place of use is shown on map filed with the State Water Resources Control Board.

5. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED AND SHALL NOT EXCEED (A) BY DIRECT DIVERSION: (1) 26.6 CUBIC FEET PER SECOND FROM MARCH 1 TO APRIL 30 OF EACH YEAR FOR FROST PROTECTION PURPOSES, (2) 1.9 CUBIC FEET PER SECOND FROM NOVEMBER 1 TO APRIL 30 OF EACH YEAR FOR DOMESTIC PURPOSES; (B) BY STORAGE 2800 ACRE-Feet PER ANNUM TO BE COLLECTED FROM NOVEMBER 1 OF EACH YEAR TO APRIL 30 OF THE SUCCEEDING YEAR. THE TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE FOR ALL USES SHALL NOT EXCEED 4900 ACRE-Feet PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30.

THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE.

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED 26.6 CUBIC FEET PER SECOND.

(0000005)

6. THE AMOUNT AUTHORIZED FOR APPROPRIATION MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS.

(0000006)

7. ACTUAL CONSTRUCTION WORK SHALL BEGIN ON OR BEFORE TWO YEARS FROM DATE OF PERMIT AND SHALL THEREAFTER BE PROSECUTED WITH REASONABLE DILIGENCE, AND IF NOT SO COMMENCED AND PROSECUTED, THIS PERMIT MAY BE REVOKED.

(0000007)

8. SAID CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1982.

(0000008)

9. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1986.

(0000009)

10. PROGRESS REPORTS SHALL BE SUBMITTED PROMPTLY BY PERMITTEE WHEN REQUESTED BY THE STATE WATER RESOURCES CONTROL BOARD UNTIL LICENSE IS ISSUED.

(0000010)

11. PERMITTEE SHALL ALLOW REPRESENTATIVES OF THE STATE WATER RESOURCES CONTROL BOARD AND OTHER PARTIES AS MAY BE AUTHORIZED FROM TIME TO TIME BY SAID BOARD, REASONABLE ACCESS TO PROJECT WORKS TO DETERMINE COMPLIANCE WITH THE TERMS OF THIS PERMIT.

(0000011)

12. PURSUANT TO CALIFORNIA WATER CODE SECTIONS 100 AND 275, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THE CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) USING WATER RECLAIMED BY ANOTHER ENTITY INSTEAD OF ALL OR PART OF THE WATER ALLOCATED; (3) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (4) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (5) CONTROLLING PHREATOPHYTIC GROWTH; AND (6) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

(0000012)

13. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

(0000013)

14. THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS PERMIT TO IMPOSE ANY APPROPRIATE CONDITIONS AT SOME FUTURE DATE TO CONFORM THE PERMIT TO BOARD POLICY ON USE OF WATER FOR FROST PROTECTION. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR HEARING. (0000020)

15. THIS PERMIT SHALL NOT BE CONSTRUED AS CONFERRING UPON THE PERMITTEE RIGHT OF ACCESS TO THE POINT OF DIVERSION. (0000022)

16. THIS PERMIT IS SUBJECT TO THE AGREEMENT DATED MARCH 17, 1978 BETWEEN PERMITTEE AND SONOMA COUNTY WATER AGENCY, TO THE EXTENT SUCH AGREEMENT COVERS MATTERS WITHIN THE BOARD'S JURISDICTION. THE AGREEMENT IS ESSENTIALLY AS FOLLOWS:

THIS PERMIT AND ANY LICENSE ISSUED THEREUNDER IS AND SHALL BE SUBJECT TO THE FOLLOWING CONDITION:

"DIVERSION BY REDWOOD VALLEY COUNTY WATER DISTRICT UNDER THIS PERMIT MAY BE MADE ONLY DURING THOSE TIMES WHEN THE WATER LEVEL IN LAKE MENDOCINO CANNOT BE INCREASED DUE TO THE REQUIREMENTS OF PRESERVING STORAGE CAPACITY FOR FLOOD CONTROL AS DETERMINED BY U S ARMY CORPS OF ENGINEERS." (0430024)

17. THIS PERMIT IS SUBJECT TO THE AGREEMENT DATED JANUARY 10, 1978 BETWEEN PERMITTEE AND CALIFORNIA DEPARTMENT OF FISH AND GAME, TO THE EXTENT SUCH AGREEMENT COVERS MATTERS WITHIN THE BOARD'S JURISDICTION. THE AGREEMENT IS ESSENTIALLY AS FOLLOWS:

A. PERMITTEE WILL NOT DIVERT WATER FOR USE OR STORAGE UNDER THIS PERMIT OR ANY LICENSE ISSUED PURSUANT TO THIS PERMIT EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES:

1. WHEN, DURING THE PERIOD FROM OCTOBER 1 THROUGH APRIL 30, THE SURFACE LEVEL OF THE WATER IN LAKE MENDOCINO IS ABOVE THE CONSERVATION POOL AS ESTABLISHED BY THE U S CORPS OF ENGINEERS.
2. WHEN THE FLOW IN THE RUSSIAN RIVER AT THE CONFLUENCE WITH THE EAST BRANCH, EXCEEDS 150 CUBIC FEET PER SECOND, AND ONLY THEN AT A RATE NOT EXCEEDING SAID EXCESS, CEASING ALL DIVERSION WHEN THE FLOW IN THE RIVER IS 150 CUBIC FEET PER SECOND OR LESS. RIVER FLOWS SHALL BE MEASURED AT THE NEAREST U S GEOLOGICAL SURVEY GAGING STATION ON THE RIVER.

B. THE DIVERSION WORKS MAY BE USED TO DIVERT WATER UNDER AGREEMENTS WITH OTHER LICENSEES.

C. NO WATER SHALL BE DIVERTED UNDER THIS PERMIT FROM MAY 1 TO SEPTEMBER 30 OF EACH YEAR.

D. IN ACCORDANCE WITH PROVISIONS OF SECTION 1603 OF THE FISH AND GAME CODE, NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL THE DIVERSION INLET PIPE IS ADEQUATELY SCREENED TO PROTECT FISHLIFE. IT IS UNDERSTOOD THAT AN INLET SCREEN WITH OPENINGS OF 3/8 INCH DIAMETER, PROVIDING A TOTAL OF 1.5 SQUARE FEET OF OPEN AREA PER CFS OF FLOW WOULD ADEQUATELY PROTECT FISHLIFE. THE CONSTRUCTION, OPERATION, OR MAINTENANCE COST OF ANY FACILITY REQUIRED PURSUANT TO THIS PROVISION SHALL BE BORNE BY THE PERMITTEE. (0430024)

18. TO THE EXTENT THAT WATER AVAILABLE FOR USE UNDER THIS PERMIT IS RETURN FLOW, IMPORTED WATER, OR WASTEWATER, THIS PERMIT SHALL NOT BE CONSTRUED AS GIVING ANY ASSURANCE THAT SUCH SUPPLY WILL CONTINUE. (0000025)

19. THE STATE WATER RESOURCES CONTROL BOARD WILL MAINTAIN JURISDICTION OVER THIS PERMIT UNTIL RESULTS OF THE COOPERATIVE FEDERAL-STATE, RUSSIAN-EEL RIVER FLOW AUGMENTATION STUDY ARE MADE KNOWN AND UNTIL THE FEDERAL POWER COMMISSION HAS MADE A DETERMINATION ON THE RELICENSING OF PACIFIC GAS AND ELECTRIC COMPANY'S TRANS-BASIN POWER GENERATION PROJECT. (0000083)

20. WATER DIVERTED UNDER THIS PERMIT MAY BE RESTRICTED TO THAT RELEASED BY UPSTREAM APPROPRIATORS IN POTTER VALLEY AND DOES NOT CONSTITUTE AN ADDITIONAL APPROPRIATION OF EEL RIVER WATER. (0000084)

21. IN ORDER TO PREVENT DEGRADATION OF THE QUALITY OF WATER DURING AND AFTER CONSTRUCTION OF THE PROJECT, PRIOR TO COMMENCEMENT OF CONSTRUCTION PERMITTEE SHALL FILE A REPORT PURSUANT TO WATER CODE SECTION 13260 AND SHALL COMPLY WITH ANY WASTE DISCHARGE REQUIREMENTS IMPOSED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, NORTH COASTAL REGION, OR BY THE STATE WATER RESOURCES CONTROL BOARD.

(0000100)

22. NO WATER SHALL BE USED FOR DOMESTIC PURPOSES UNDER THIS PERMIT UNTIL THE PERMITTEE HAS FILED A REPORT OF WASTE DISCHARGE WITH THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, NORTH COASTAL REGION, PURSUANT TO WATER CODE SECTION 13260, AND THE REGIONAL BOARD OR STATE WATER RESOURCES CONTROL BOARD HAS PRESCRIBED WASTE DISCHARGE REQUIREMENTS OR HAS INDICATED THAT WASTE DISCHARGE REQUIREMENTS ARE NOT REQUIRED. THEREAFTER, WATER MAY BE DIVERTED ONLY DURING SUCH TIMES AS ALL REQUIREMENTS PRESCRIBED BY THE REGIONAL BOARD OR STATE BOARD ARE BEING MET. NO DISCHARGES OF WASTE TO SURFACE WATER SHALL BE MADE UNLESS WASTE DISCHARGE REQUIREMENTS ARE ISSUED BY A REGIONAL BOARD OR THE STATE BOARD. A DISCHARGE TO GROUND WATER WITHOUT ISSUANCE OF A WASTE DISCHARGE REQUIREMENT MAY BE ALLOWED IF AFTER FILING THE REPORT PURSUANT TO SECTION 13260:

(1) THE REGIONAL BOARD ISSUES A WAIVER PURSUANT TO SECTION 13269, OR

(2) THE REGIONAL BOARD FAILS TO ACT WITHIN 120 DAYS OF THE FILING OF THE REPORT.

NO REPORT OF WASTE DISCHARGE PURSUANT TO SECTION 13260 OF THE WATER CODE SHALL BE REQUIRED FOR PERCOLATION TO THE GROUND WATER OF WATER RESULTING FROM THE IRRIGATION OF CROPS.

(0290101)

23. STORAGE OF WATER SHALL NOT BE COMMENCED UNTIL PERMITTEE HAS FURNISHED THE BOARD WITH CERTIFIED ENGINEERING MAPS WHICH SHOW THE LOCATION OF ALL CONDUITS WHICH TRANSFER WATER FROM LAKE MENDOCINO TO EACH OF THE RESERVOIRS THAT WILL CONTAIN A PORTION OF THE 2,800 ACRE-FEET OF STORAGE AUTHORIZED BY THIS PERMIT.

(0360999)

24. PERMITTEE SHALL NOT STORE WATER IN ANY RESERVOIR UNTIL ONE OR MORE OF THE FOLLOWING HAVE BEEN COMPLIED WITH:

A. LANDOWNER HAS RECEIVED A PERMIT OR LICENSE FROM THE BOARD TO STORE LOCAL RUNOFF WATER IN THE RESERVOIR(S) AND THE DISTRICT HAS FURNISHED THE BOARD WITH A COPY OF AN AGREEMENT BETWEEN THE LANDOWNER AND THE DISTRICT FOR STORAGE OF PROJECT WATER IN SAID RESERVOIR UNDER THIS PERMIT.

B. THE DISTRICT AND THE LANDOWNER SHALL JOINTLY RECEIVE A PERMIT FOR STORAGE OF LOCAL RUNOFF IN ANY RESERVOIR WHICH MAY BE JOINTLY BUILT AND ADMINISTERED.

C. THE DISTRICT SHALL RECEIVE A PERMIT FROM THE BOARD FOR ANY RESERVOIR BUILT AND ADMINISTERED BY THE DISTRICT WHICH MAY CAPTURE LOCAL RUNOFF.

D. PIT TYPE RESERVOIRS WHICH ARE NOT BUILT ON A DRAINAGE OR WATERCOURSE AND DO NOT COLLECT RUNOFF AND ARE NOT USED AS OFFSTREAM STORAGE RESERVOIRS FOR LOCAL RUNOFF SHALL BE EXEMPT FROM THE ABOVE LISTED PERMIT PROCEDURES BUT DISTRICT SHALL FURNISH THE BOARD WITH ENGINEERING MAPS AND OTHER DATA, INCLUDING SIZE AND CAPACITY AS REQUIRED BY ITS REGULATIONS.

(0360999)

25. STORAGE OF WATER UNDER THIS PERMIT MUST CONFORM TO ANY SPECIAL TERMS IN OTHER PERMITS OR LICENSES APPLICABLE TO THE OPERATION OF THE JOINTLY USED DIVERSION FACILITIES.

(0000999)

26. PERMITTEE SHALL MAINTAIN DAILY RECORDS WHICH ARE SATISFACTORY TO THE BOARD OF THE AMOUNT AND RATE OF ALL DIVERSIONS FROM LAKE MENDOCINO UNDER THIS PERMIT, INCLUDING AMOUNTS OF WATER DIVERTED DIRECTLY TO BENEFICIAL USE, THE WATER SURFACE ELEVATION OF LAKE MENDOCINO AT THE TIME OF DIVERSION, AND THE ELEVATION OF MINIMUM FLOOD STORAGE. AN ANNUAL REPORT OF SUCH RECORDS SHALL BE SUBMITTED TO THE BOARD ON OR BEFORE THE END OF EACH CALENDAR YEAR.

(0110999)

27. PERMITTEE SHALL SUBMIT TO THE BOARD COPIES OF ALL STORAGE AGREEMENTS WITH INDIVIDUAL RESERVOIR OWNERS AS SOON AS PRACTICABLE AFTER SUCH AGREEMENTS ARE EXECUTED.

(0270300)

28. PERMITTEE SHALL INSTALL AND MAINTAIN SUITABLE MEASURING DEVICES SATISFACTORY TO THE BOARD SO THAT ACCURATE MEASUREMENTS CAN BE MADE OF THE QUANTITY OF PROJECT WATER STORED IN EACH RESERVOIR. AN ANNUAL REPORT OF THE AMOUNT DIVERTED SHALL BE SUBMITTED TO THE BOARD ON OR BEFORE THE END OF EACH CALENDAR YEAR.

(0070999)

29. IF ANY OF THE STORAGE DAMS THAT HAVE BEEN OR ARE TO BE CONSTRUCTED IN CONJUNCTION WITH THIS PROJECT ARE OR WILL BE OF SUCH SIZE AS TO BE WITHIN THE JURISDICTION OF THE DEPARTMENT OF WATER RESOURCES AS TO SAFETY, CONSTRUCTION OR STORAGE OF WATER SHALL NOT BE COMMENCED UNTIL THE DEPARTMENT HAS APPROVED PLANS AND SPECIFICATIONS. (0360048)

30. ALL PROJECT RESERVOIRS, REGARDLESS OF TYPE, SIZE, OR OWNERSHIP, SHALL COMPLY WITH ALL PERTINENT SECTIONS OF THE BOARD'S REGULATIONS. AUTHORITY IS RESERVED BY THE BOARD TO ADD ADDITIONAL TERMS TO THIS PERMIT OR SUBSEQUENT LICENSE AS CONDITIONS REQUIRE. (0000999)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: APRIL 9 1979

STATE WATER RESOURCES CONTROL BOARD

Walter A. Pettit
for Chief, Division of Water Rights