State of California, State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

S000440%S%2004

2002, 2003, 2004

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: GERALD P FRANEY; MARY K FRANEY;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

GERALD P FRANEY
2217 B ST
FOREST GROVE, OR 97116-1627

Returned Mail

STATEMENT NO.: S000440
CONTACT PHONE NO.: (503)359-5049

Source Name: SPEAR CREEK
Tributary To: POSO CREEK
County: Tulare
Diversion Within: NE1/4 of SE1/4 Section 29, T24S, R21E, MB&M

Year of First Use: 1950
Parcel Number:

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002													
2003													
2004													

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: _____

   b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

   Reduction in Diversions:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   Reduction in consumptive use:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to conservation efforts. YES ____ NO ____

GS 8/18

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

   b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20_____ at _____, California

SIGNATURE: _____

PRINTED NAME: _____
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

STATE
99 MAR -8 PM 3:30
DIV. OF W. RIGHTS
SACRA

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: GERALD P FRANEY, MARY K FRANEY

GERALD P FRANEY
2217 B ST
FOREST GROVE, OR 97116-1627

STATEMENT NO: S000440

SOURCE: SPEAR CREEK
TRIBUTARY TO: POSO CREEK
COUNTY: TULARE
DIVERSION
WITHIN: NE¼ OF SE¼ SECTION 29, T24S, R21E, MB&M.

TELEPHONE NUMBER: (503) 359-5049
YEAR OF FIRST USE: 1950
PARCEL NO:

A. Water is used under: Riparian claim X Pre 1914 right _____ Other (explain); _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996					✓	✓	✓	✓	✓	✓			
1997					✓	✓	✓	✓	✓	✓			
1998					✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering X; Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you may have started: _____
   b. _____
   c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

2. Water quality and wastewater reclamation
   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X.

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ____ NO X.

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3/5 19 99 at Forest Grove, OR, California

SIGNATURE: G P Franey

PRINTED NAME: GERALD / PATRICK FRANEY
(first name) (middle init.) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

S- 440

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: GERALD P FRANEY, MARY K FRANEY

GERALD P FRANEY
2217 B STREET
FOREST GROVE, OR 97116-1627

STATEMENT NO: S000440

SOURCE: SPEAR CREEK
TRIBUTARY TO: POSO CREEK
COUNTY: TULARE
DIVERSION WITHIN: NE¼ OF SE¼ SECTION 29, T24S, R21E, MB&M.

TELEPHONE NUMBER: (503) 359-5049
YEAR OF FIRST USE: 1950
PARCEL NO:

A. Water is used under: Riparian claim X; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993					✓	✓	✓	✓	✓	✓			
1994					✓	✓	✓	✓	✓	✓			
1995					✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering X; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

STATE WATER RESOURCES CONTROL BOARD
96 MAY 24 PM 2:37
DIV. OF WATER RIGHTS
SACRAMENTO

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5/20, 1996, at Forest Grove, Oregon ~~California~~

SIGNATURE: G P Franey

PRINTED NAME: _____ (FIRST NAME) _____ (LAST NAME)

G. P. Franey
2217 B St.
Forest Grove, OR 97116-1627

COMPANY NAME: _____

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WR40-1 (4/96)

ITEM **CONTINUATION**

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California, riparian and appropriative rights.

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"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

5-440

12-11-95

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1995 MAR 27 PM 2:58
DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: S000440
OWNER OF RECORD: GERALD P FRANEY

GERALD P FRANEY
2217 B STREET
FOREST GROVE, OR 97116 - 1627

SOURCE: SPEAR CREEK
TRIBUTARY TO: POSO CREEK
COUNTY: TULARE
DIVERSION
WITHIN: NE¼ OF SE¼ SECTION 29, T24S, R21E, MDB&M.

TELEPHONE NUMBER: (503) 359-5049
YEAR OF FIRST USE: 1950
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim X; Pre 1914 right X; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992				X	X	X	X	X	X	X			
1993				X	X	X	X	X	X	X			
1994				X	X	X	X	X	X	X			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering X; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

***** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

_____

_____

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

_____

_____

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3/21, 1995 at Forest Grove, OR, ~~California~~

SIGNATURE: [illegible]

PRINTED NAME: _____ (FIRST NAME) _____ (M. NAME) _____ (LAST NAME)

COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
'P.O.' Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

STATEMENT NO. _____

DIVERSION SITE:

OWNER'S NAME _____
(FIRST) (MIDDLE) (LAST)

PARCEL NO. _____

PLACE OF USE:

OWNER'S NAME _____
(FIRST) (MIDDLE) (LAST)

1. **PARCEL NO.** _____
2. **PARCEL NO.** _____
3. **PARCEL NO.** _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:

OWNER/LESSEE/AGENT/OTHER _____

NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
_____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

OTHERS USING ABOVE DIVERSION LOCATION:

1. **NAME** _____
(FIRST) (MIDDLE) (LAST)

   MAILING ADDRESS _____
   _____
   (CITY) (STATE) (ZIP)

   TELEPHONE NO. (_____) _____ - _____

2. **NAME** _____
(FIRST) (MIDDLE) (LAST)

   MAILING ADDRESS _____
   _____
   (CITY) (STATE) (ZIP)

   TELEPHONE NO. (_____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

(1/95)

S-440

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1995 MAR 27 PM 3:02
DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: S000440
OWNER OF RECORD: GERALD P FRANEY

GERALD P FRANEY
2217 B STREET
FOREST GROVE, OR 97116

SOURCE: SPEAR CREEK
TRIBUTARY TO: POSO CREEK
COUNTY: TULARE
DIVERSION
WITHIN: NE¼ OF SE¼ SECTION 29, T24S, R21E, MDB&M.

TELEPHONE NUMBER: (503) 359-5049
YEAR OF FIRST USE: 1950
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim ✓; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992				X	X	X	X	X	X	X			
1993				X	X	X	X	X	X	X			
1994				X	X	X	X	X	X	X			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering X; Domestic _____
Other (specify) _____

***** CONTINUE ON BACK PAGE *****

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3/21, 1995, at Forest Grove, OR, ~~California~~

SIGNATURE: [signature]

PRINTED NAME: _____ (FIRST NAME) _____ (M. NAME) _____ (LAST NAME)

COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

STATEMENT NO. _____

DIVERSION SITE:

OWNER'S NAME _____
(FIRST) (MIDDLE) (LAST)

PARCEL NO. _____

PLACE OF USE:

OWNER'S NAME _____
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. _____
2. PARCEL NO. _____
3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:

OWNER/LESSEE/AGENT/OTHER

NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

(1/95)

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 000440

GERALD P & MARY K FRANEY
2217 H STREET
FOREST GROVE, OR 97116

TELEPHONE NUMBER:
(503) 359-5049

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: SPEAR CREEK

TRIBUTARY TO: POSO CREEK

COUNTY: TULARE YEAR OF FIRST USE: 1950

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 29, T24S, R21E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991													
1992													
1993													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic _____
Other (specify) Original Water Diversion is not in operation at this time. acreage was used for pasturing cattle by Dorothy Albitre of Woody, Ca

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Would like to keep diversion rights for future use

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3/1, 19 94, at Forest Grove, ~~California~~ Oregon

Signature: G P Franey

WR 40-I (1/94)
FOR0127R2

0513 1993

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969".
"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

GERALD & MARY FRANEY
~~13007 APPALOOSA AVE~~
~~BAKERSFIELD, CA 93309~~

G.P. & M.K. Franey
2217 B. St.
Forest Grove, OR 97116

STATEMENT NO: 000440

TELEPHONE NUMBER:
(503) 359-5049

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: SPEAR CREEK

TRIBUTARY TO: POSO CREEK

COUNTY: TULARE

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 29, T24S, R21E, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	none												
1989	none												
1990	none												

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic Did not divert water for year shown

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 2/1, 1991, at Forest Grove Oregon ~~California~~

Signature: G Franey

WR 40-I (2/90)

0593 1990

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

S 440

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Gerald P. & Mary K. Franey
Address Rt. 7 Box 541, Bakersfield, California

B. Name of body of water at point of diversion Spear Creek
Tributary to Poso Creek

C. Place of diversion NE ¼ SE ¼ Section 29, Township 24, Range 21 31, HD BGM, Tulare County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works None

E. Capacity of diversion works 20 gallons per minute
Capacity of storage reservoir None gallons acre-feet
State quantity of water used each month in thousand gallons

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	3	3	3	6	15	30	80	80	30	10	5	5	270

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years 270,000 gallons
Minimum annual water use in recent years 225,000 gallons
Type of diversion facility: gravity x, pump
Method of measurement: weir, flume, electric power meter, water meter, estimate x

F. Purpose of use (what water is being used for) Household, livestock, garden, etc.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
See sketch or reverse

H. Year of first use as nearly as known 1950 or before

I. Name of person filing statement G. P. Franey
Position Organization
Address

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 1-14-67 Signature G. P. Franey

See Instructions on Reverse Side

SV-RB 40

5-220-11-00-C