S001585

RICHARD E. FAGGIOLI
ESHOM KAWEAH RANCH
NR Badger CA
c/o 377 Merk Rd.
Corralitos, CA 95076

June 26, 2005

Re: Supplemental Water Statements and Licensee Report 2002-2004

SWRCB
PO BOX 2000
Sacramento, Ca 95812-2000

On forms you provided, here, completed, are:

- Statement No: S001585 "Pierce Creek" North Fork Kaweah River, Tulare Co.
- " " S001586 "Dry Creek" Kaweah River, Tulare Co
- Statement No: S013973 "Eshom Creek" North Fork Kaweah River, Tulare Co.
- and Report of Licensee A027502 "Dee's Pond" Parcel 009-090-05-00 in SW/4 of NW/4 Sec. 22 T15S R28E

These water diversions, storage and uses are part of our Eshom-Kaweah Ranch range cattle (and conservation) activities.

In addition we did not receive forms on which to report on two more storage/diversion applications/licenses, also a part of our Ranch Operation:

- Application A016774 License 008733 and
- " A016773, " 008732

If there is reporting requirement currently required or that will be required next - please advise when.

Thank you
Richard E. Faggioli
CO-OWNER

Encl 4 Statements/Reports perabove

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

S001585%S%2004

2002, 2003, 2004

2005 JUL -1 PM 4:40

SACRAMENTO

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: JUSTIN M FAGGIOLI; GEORGIANA F FAGGIOLI;

"U. Pierce"

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
JUSTIN M FAGGIOLI
377 MERK RD
WATSONVILLE, CA 95076

STATEMENT NO.: S001585
CONTACT PHONE NO.: (831)724-3558

Source Name: PIERCE CREEK
Tributary To: NORTH FORK KAWEAH RIVER
County: Tulare
Diversion Within: NE1/4 of SW1/4 Section 10, T15S, R28E, MB&M

Year of First Use: 1959
Parcel Number:

A. **Water is Used Under:** Riparian claim X Pre-1914 right _____ Other (explain): Also involved with USDA Nat'l FOREST "1915 Water Trans. P/L annual fee; descrip. 2720 Spec USES, Hume Lake Dist. 596501 <12" ISSUED 1/25/82 "16 0V8057317 JOB 8983130 5."

B. **Year of First Use:** (Please provide if missing above) _____ Diversion is a "SPECIAL USE PERMIT"

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					✓	✓	creek	Dry					
2003					✓	✓	"	"					
2004				✓	✓	✓	✓	✓					

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

Irrigation Apples, 5 ac 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.) NONE

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 X NO ___
   Describe any water conservation efforts you have initiated: monitoring take off (bear a problem with rubber hose)

   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: NA

   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 _____

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 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: NA

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 X.

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: NA

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: 6/26/05, 2005 at 377 Hert Rd, Watsonville, California 95076

SIGNATURE: Richard E. Fagundes

PRINTED NAME: RICHARD E. FAGUNDES
(first name) (middle initial) (last name)

COMPANY NAME: Ethan Kaweah Ranch

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.

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

S001585%S%2001

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1999, 2000, 2001

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.

fax 6/30/02 p2 of 7

Please Complete and Return This Form by July 1, 2002.
*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: JUSTIN M FAGGIOLI

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
JUSTIN M FAGGIOLI
377 MERK RD
WATSONVILLE, CA 95076

U. Pierce

STATE WATER RESOURCES CONTROL BOARD
02 JUL 1 AM 8:07
DIV. OF WATER RIGHTS SACRAMENTO

STATEMENT NO.: S001585
CONTACT PHONE NO.: (831)724-3558

FOR ONLINE REPORTING AT:
www.waterrights.ca.gov

USER NAME: S001585
PASSWORD: C04130

Source Name: PIERCE CREEK
Tributary To: NORTH FORK KAWEAH RIVER
County: Tulare
Diversion Within: NE1/4 of SW1/4 Section 10, T15S, R28E, MB&M

Year of First Use: 1959
Parcel Number:

A. Water is used under: Riparian claim X Pre 1914 right ____ Other (explain): Also involved in the diversion is a "special use permit" Sequoia Nat'l Forest files 2128 and 2229.11, Hume Lake Ranger Dist. "In process since Jan. 26, 1990") of reissue to Justin M. Faggioli

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.
diversion plastic pipe flows approx. 50% against sprinkler

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1999				✓	✓	✓	✓	Creek too low					
2000			✓	✓	✓	✓	✓	✓	Creek dry				
2001			✓	✓	✓	✓	✓	✓	✓	✓			

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

Irrigation Apples; 5 ac acres; Stockwatering ____ ; Domestic intermittent - when work under way.

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: frequent overview of hose off and plastic hose pipe line (increasingly frequent due to bears' interest in chewing on the pipe. Electric fence keeps them out of the orchard but they have access from the diversion
   b. 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:

Reductions in Diversions:

yr____ _____ (af/mg) yr____ _____ (af/mg) yr____ _____ (af/mg)

Reductions in consumptive use:

yr____ _____ (af/mg) yr____ _____ (af/mg) yr____ _____ (af/mg)

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

fax 6/30/02 p3 of 7

2. Water quality and wastewater information

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:

yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

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:

yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

I have data to support the above surface water use reductions due to conjunctive use efforts. 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: 6/29, 20 02 at Watsonville, Ca 95076, California

SIGNATURE: Richard E. Faggioli

PRINTED NAME: RICHARD E. FAGGIOLI (first name) (middle init.) CO-OWNER and EXECUTOR for Georgiana P. Faggioli, deceased (last name)

COMPANY NAME: ESTATE OF KANBAR RANCH

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

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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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.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"

KSN

Richard E. Faggioli
ESHOM KAWEAH RANCH
NR Badger CA
c/o 377 Merk Rd.
Corralitos, CA 95076

FAX COVER PAGE

Re: Statements of Water Diversion and Use

DATE: 6/30/02

TO: HARRY L. ATTAWAY
DIVISION of WATER RIGHTS
PO BOX 2000 Sacramento, CA 95812-2000

Tel (916) 341-5366
Tel (916) 341-5300
FAX (916) 341-5400

Per instructions in your May 2002 "Notice" regarding the above, here are 3 reports: S001585 "Pierce Creek"; S001586 "Dry Creek"; and S013973 "Eshom Creek" - all in Tulare County.

If there are any questions, please contact me per below.

Thank you,

Richard Faggioli

Number of Pages, including cover: 7
For information call (831) 724-3558.
My fax number is (831) 728-8862.

STATE WATER RESOURCES
CONTROL BOARD

02 JUL -1 AM 8:07

DIV. OF WATER RIGHTS
SACRAMENTO

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 WATER RESOURCES
99 JUN 15 PM 3:48
DIV. OF WATER RIGHTS
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: JUSTIN M FAGGIOLI, GEORGIANA F FAGGIOLI

JUSTIN M FAGGIOLI
377 MERK RD
WATSONVILLE, CA 95076

STATEMENT NO: S001585

SOURCE: PIERCE CREEK
TRIBUTARY TO: NORTH FORK KAWEAH RIVER
COUNTY: TULARE
DIVERSION WITHIN: NE¼ OF SW¼ SECTION 10, T15S, R28E, MB&M.

d. Pierce

Note area code change

TELEPHONE NUMBER: (~~408~~ 831) 724-3558
YEAR OF FIRST USE: 1959
PARCEL NO:

A. Water is used under: Riparian claim X Pre 1914 right _____ Other (explain): Also involved in the diversion is a "SPECIAL USE PERMIT" Sequoia Natl Forest files 31381 and 2729.11 Hume Lake Ranger Dist. In process since Jan 26, 1990 "of reissue" to Justin M. Faggioli

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.

Note: Pipeline diversion flows apx 5 GPM - restrained partly by sprinkler.

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996			✓	✓	✓	✓	✓	creek Dry					
1997		(renewed sandbag diversion) ✓					✓	✓	✓	creek Dry			
1998			✓	✓	✓	✓	✓	✓	✓	—	creek Dry		

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

Irrigation Apples; 5 ± ac acres; Stockwatering _____; Domestic intermittent, when work under way

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.) See 97 "C" above; diversion takeoff renewed June 97

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: in 97 - arranged more frequent overview off take off & monitoring plastic pipeline
   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

OCT 28 1999

SUP-STATE (12-98)

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

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: 6/12, 1999 at Watsonville, Ca 95076, California

X SIGNATURE: Georgiana P Faggioli

PRINTED NAME: Georgiana P. Faggioli CO-OWNER
(first name) (middle init.) (last name)

RANCH
~~COMPANY~~ NAME: EATON KAWEAH RANCH

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

ITEM CONTINUATION

____ _____
____ _____
____ _____
____ _____
____ _____
____ _____
____ _____
____ _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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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.

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S-1 585

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: JUSTIN M FAGGIOLI, GEORGIANA F FAGGIOLI Upper Pierce

JUSTIN M FAGGIOLI
377 MERK ROAD
WATSONVILLE, CA 95076

STATEMENT NO: S001585

SOURCE: PIERCE CREEK
TRIBUTARY TO: NORTH FORK KAWEAH RIVER
COUNTY: TULARE
DIVERSION WITHIN: NE¼ OF SW¼ SECTION 10, T15S, R28E, MB&M.

TELEPHONE NUMBER: (408) 724-3558
YEAR OF FIRST USE: 1959
PARCEL NO:

A. Water is used under: Riparian claim X; Pre 1914 right ____; Other (explain) Also involved in the Diversion is a "SPECIAL USE PERMIT" Sequoia Nat'l Forest, f/p #'s 3138 and 2729.11 Hume Lake Ranger Dist. "In process (since Jan 16, 1990) of being reissued to JUSTIN M. FAGGIOLI.

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) ____

Note: Pipeline diversion flows apx 5 GPM - restrained partly by sprinkler.

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

See note on reverse

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation Apples, 5± acres; Stockwatering ____; Domestic intermittent work under way
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.) NONE

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 RESOURCE CONTROL BOARD
96 JUN -2 PM 1:03
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: 6/20, 19 96, at Watsonville, California

SIGNATURE: Georgiana P. Faggioli CO-OWNER

PRINTED NAME: GEORGIANA (FIRST NAME) PATTY (M. NAME) FAGGIOLI (LAST NAME)

~~COMPANY~~ RANCH NAME: ES HOM. KAWEAH

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
C.	The storms (wind) of winter 95-96 felled debris over the route of the diversion pipeline which has delayed the start of flow from Pierce Creek until mid June.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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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, including the following:

"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 WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 1585

1993 JUL 17 PM 1:47
DIVISION OF WATER RIGHTS
SACRAMENTO

Justin M. Faggioli & Georgiana P. Faggioli
377 Merk Road
Watsonville, CA 95076

TELEPHONE NO:
#1 Justin (415) 435-9603
#2 Georgiana (408) 724-3558

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

SOURCE: Pierce Creek

TRIBUTARY TO: N. Fork Kaweah River

COUNTY: Tulare

DIVERSION WITHIN: NE ¼ of SW ¼ of Section 10, T15S, R28E, 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. (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)

1. see note under "C" below
2. months in use checked "✓"

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988				✓	✓	✓	✓	creek dry					see note "C" under
1989				✓	✓	✓	creek dry						
1990	✓	✓	✓	✓	drought year								

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

Irrigation: orchard (apx 5 ac), enclosed by 7 ft. electrified deer (bear) fence.

Stockwatering: from Pierce Creek (below take off for irrigation)

Domestic: temporarily, small amounts, when cabin occupied or work

Other (specify): water also available for fire protection through the pipeline under way.

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.)

1988 - Pipeline from take off replaced by new 1¼-1" PVC line; take off flume/pipe improved

Note "1": Measured with 5 gal plastic bucket apx 5 GPM. flow; restricted by sprinkler in orchard which is moved across orchard.

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: 6/10, 1993, at Watsonville, California

Signature: Georgiana P. Faggioli
GEORGIANA P. FAGGIOLI
CO-OWNER

WR 40-I (11/85)

Sorry that extended absence delayed our response.

JUL 9 1993 KSN

SURNAME
S-1585

(916) 657-1875

FAX: (916) 657-1485

In Reply Refer
to:332:WR:S1585 & S1586

APRIL 16 1993

Mr. Richard E. Faggioli
377 Merk Road
Corralitos, CA 95076

Dear Mr. Faggioli:

STATEMENTS OF WATER DIVERSION AND USE NUMBERS 1585 AND 1586

Pursuant to your letter of March 27, 1993, we have updated our records to show the above numbered statements in the names of Justin M. Faggiolo and Georgiana F. Faggioli.

The next supplemental statement for reporting the use of water during 1991, 1992, and 1993 will automatically be sent to the owner of record in January 1994.

Thank you for your cooperation.

Sincerely,

ORIGINAL SIGNED BY:

Wynne Rowlands
Associate Land and Water Use Analyst
Application Unit #2

bcc: KSN

WRowlands:esekul:4/12/93/shalbert:4-15-93
shalb300:WR:S1585

SURNAME
Rowlands 4/15

DWR 540 REV. 1/88

BE 3910E

5-1 585

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

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

12-13-95

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

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
1995 JUN 15 PM 3:17
DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: S001585
OWNER OF RECORD: JUSTIN M FAGGIOLI

JUSTIN M FAGGIOLI
377 MERK ROAD
WATSONVILLE, CA 95076

"Upper Pierce"

SOURCE: PIERCE CREEK
TRIBUTARY TO: NORTH FORK KAWEAH RIVER
COUNTY: TULARE
DIVERSION WITHIN: NE¼ OF SW¼ SECTION 10, T15S, R28E, MDB&M.

TELEPHONE NUMBER: (408) 724-3558
YEAR OF FIRST USE: 1959
PARCEL NO: 009.070.08

(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 _____; Other (explain) Also involved in the diversion is a "SPECIAL USE PERMIT" Sequoia Nat'l Forest, file #S 31381 and 2729.11, Hume Lake Ranger Dist. "In process (since Jan 26, 1990) of being returned to JUSTIN M. FAGGIOLI

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) -

Note: Pipeline diversion flows apx 5 GPM - restrained partly by sprinkler.

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992				✓	✓	Drought year							
1993				✓	✓	✓	Creek	dry					
1994				✓	✓	✓	Creek	dry					

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation Apples, 5± acres; Stockwatering _____; Domestic intermittant - when cabin occupied or work is underway.
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

WR40-1 (1/95)

***** 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.)

NONE

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: 6/10, 1995, at Watsonville, California

SIGNATURE: Georgiana P. Fagioli

PRINTED NAME: GEORGIANA (FIRST NAME) PATTY (M. NAME) FAGIOLI (LAST NAME)

COMPANY NAME: ESHOM KAWEAH RANCH

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

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

Upper Pierce

STATEMENT NO. S001585

DIVERSION SITE:
OWNER'S NAME SEQUOIA NAT'L FOREST
(FIRST) (MIDDLE) (LAST)
PARCEL NO. NE 1/4 of SW 1/4 Sec. 10 T15S R28E MDB&M

PLACE OF USE:
OWNER'S NAME JUSTIN MARK FAGGIOLI
(FIRST) (MIDDLE) (LAST)
& GEORGIANA PATTY FAGGIOLI
CO. OWNER
Tulare Co APN 1. PARCEL NO. 009.070.08 } S 1/2 of SW 1/4, Sec 10 T15S R28E
2. PARCEL NO. } & N 1/2 of NW 1/4 Sec. 15 " " MDB&M
3. PARCEL NO.

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:

as current OWNER/LESSEE/AGENT/OTHER JUSTIN M. FAGGIOLI
NAME OWNER
(FIRST) (MIDDLE) (LAST)
MAILING ADDRESS 377 MERK RD
WATSONVILLE, CA 95076
(CITY) (STATE) (ZIP)
TELEPHONE NO. (408) 724 - 3558

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: 001585

JUSTIN M & GEORGIANA P FAGGIOLI "U. Pierce"
377 MERK RD
WATSONVILLE CA 95076

TELEPHONE NUMBER:
(415) 435-9603

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

SOURCE: PIERCE CREEK

TRIBUTARY TO: NORTH FORK KAWEAH RIVER

COUNTY: TULARE

YEAR OF FIRST USE: 19[illegible]

DIVERSION
WITHIN: NE1/4 OF SW1/4 SECTION 10, T15S, R28E, MDB&M

STATE WATER RESOURCES CONTROL BOARD
1994 JUN 13 PM 3:20
DIV. OF WATER RIGHTS SACRAMENTO

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) _____

1. See note under "C" below
2. Months use checked "✓"

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	✓	✓	✓	✓	drought year								
1992		✓	✓	✓	✓	✓							see note "C" under "C"
1993	repaired 1 1/4" line (hearsh had chewed)			✓	✓	✓	✓	drought - but flowed ok. fill mid July					

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation apx 5 acres; Stockwatering August - October; Domestic minor amt for temporary cabin presence
Other (specify) Apple orchard enclosed by 7 ft electrified deer (bear) fence
Fire protection source

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.)

Water take off improved 1993 to use sturdy funnel in place of sand/bagged pipe/strainer; system flows at apx 5GPM when restricted by small sprinkler in orchard.

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: June 6, 1994, at Watsonville, California

Signature: Georgiana P Faggioli

WR 40-I (1/94)
FOR0127R2

0558

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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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.

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"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S 1585

A. Name of person diverting water Clarence E. and M. Frances Patty
Address P O Box 111, Menlo Park, California 94025

B. Name of body of water at point of diversion Pierce Creek, an intermittent stream
Tributary to North Fork of Kaweah River

C. Place of diversion N.E. ¼ of S.W. ¼ Section 10, Township 15 So., Range 28 E, M.D. B.&M.
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 Galvanized pipe, through sack dam- dam renewed each season. 2" funnel pipe and 1" pipe used to conduct water down hill

E. Capacity of diversion works approx 2 gallons per minute (cubic feet per second / gallons per minute)
Capacity of storage reservoir There is no reservoir- except as sack dam backs water a little way up stream bed. (gallons / acre-feet)
State quantity of water used each month in gallons ~~XXXXXXXXXX~~

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1966	0	0	0	50000.	86K	86K	30K	stream goes dry usually in July					

Total annual - 250,000. gal

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.
Used to irrigate a small fruit orchard and to provide water for fire protection. (Former owners had garden also)
Maximum annual water use in recent years approx. 250,000. gallons (gallons / acre-feet)
Minimum annual water use in recent years same (gallons / acre-feet)
Type of diversion facility: gravity Yes ~~XXXXXXXX~~ pump
Method of measurement: weir ____, flume ____, electric power meter ____, water meter ____, estimate Yes

F. Purpose of use (what water is being used for)
irrigating fruit trees and fire protection- also cabin on place and only source of water

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Fruit orchard and cabin (also for garden) enclosed in a deer tight and supposedly bear tight fence-in northeasterly part of SE¼ of SW¼ of above Section 10. Our understanding the first use was around 1910,

H. Year of first use as nearly as known but that first use was from a tributary in unnamed ravine -to Pierce Creek- more convenient to garden, but no longer running. We have used Pierce Creek source since 1959.

I. Name of person filing statement C. E. Patty
Position owner Organization individuals
Address P O Box 111, Menlo Park, California 94025

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

Date signed June 27 1967 Signature C E Patty

See Instructions on Reverse Side

SWRB 40 (8-66)

5-622-07-00-0