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

S010103%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: VOLKERT J BERNBECK;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

VOLKERT J BERNBECK
709 KENDALL DR
LAGUNA BEACH, CA 92651

Returned Mail

STATEMENT NO.: S010103
CONTACT PHONE NO.: (714)499-4233

Source Name: RICE CANYON
Tributary To: SAN LUIS REY RIVER
County: San Diego
Diversion Within: NW1/4 of SE1/4 Section 24, T09S, R03W, SB&M

Year of First Use: 1980
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 _____

G3
8/8

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.

S-10 103

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

STATE WATER RESOURCES CONTROL BOARD
MAY 28 PM 3:42
DIV. OF WATER RIGHTS SACRAMENTO

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: VOLKERT J BERNBECK

VOLKERT J BERNBECK
709 KENDALL DRIVE
LAGUNA BEACH, CA 92651

STATEMENT NO.: S010103

SOURCE: RICE CANYON
TRIBUTARY TO: SAN LUIS REY RIVER
COUNTY: SAN DIEGO
DIVERSION WITHIN: NW¼ OF SE¼ SECTION 24, T9S, R3W, SB&M.

TELEPHONE NUMBER: (714) 499-4233
YEAR OF FIRST USE: 1980
PARCEL NO:

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) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFT
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFT
1995	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFT

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 40 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. 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.
None

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

DATED: 5-22-96, 1996, at Fallbrook, California

SIGNATURE: Volkert J Bernbeck

PRINTED NAME: Volkert (FIRST NAME) J (M. NAME) BERNBECK (LAST NAME)

COMPANY NAME: Rancho Bavania

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.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their 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 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"

S-10 103

** 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

STATE WATER RESOURCES CONTROL BOARD
1995 JUN 26 PM 12: 35
DIV. OF WATER RIGHTS SACRAMENTO

STATEMENT NO: S010103
OWNER OF RECORD: VOLKERT J BERNBECK

VOLKERT J BERNBECK
1036 RICE CANYON ROAD
FALLBROOK, CA 92028

Env. vet.

Volkert J. Bernbeck
709 Kendall Drive
Laguna Beach, CA 92651

SOURCE: RICE CANYON
TRIBUTARY TO: SAN LUIS REY RIVER
COUNTY: SAN DIEGO
DIVERSION WITHIN: NW¼ OF SE¼ SECTION 24, T9S, R3W, MDB&S.

TELEPHONE NUMBER: (714) 646-4857
YEAR OF FIRST USE: 1980
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	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFt
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFt
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 AcFt

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 40 acres; Stockwatering _____; 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.)

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.

None

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

DATED: 6-21, 1995 at Fallbrook, California

SIGNATURE: Volkert J Berwbeck

PRINTED NAME: Volkert (FIRST NAME) J (M. NAME) BERWBECK (LAST NAME)

COMPANY NAME: Rancho Bavaria

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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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.

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"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

STATEMENT NO. A 026020

DIVERSION SITE:

OWNER'S NAME Volkert (FIRST) J. (MIDDLE) BERNBECK (LAST)

PARCEL NO. 108-390-30

PLACE OF USE:

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

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

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:

OWNER/~~LESSEE/AGENT/OTHER~~ Volkert J. BERNBECK

NAME _____ (FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 709 Kendall Drive
Laguna Beach, Ca 92651
(CITY) (STATE) (ZIP)

TELEPHONE NO. (714) 499 - 4233

OTHERS USING ABOVE DIVERSION LOCATION:

1. **NAME** No (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 OF 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

(916) 324-5676

STATE WATER RESOURCES CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1992 FEB 26 PM 2:23
DIV. OF WATER RIGHTS SACRAMENTO

STATEMENT NO: 010103

DIVERTER OF RECORD:

VOLKERT J BERNBECK
1036 RICE CANYON ROAD
FALLBROOK, CA 92028

TELEPHONE NUMBER:
(714) 646-4857

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

SOURCE: RICE CANYON

TRIBUTARY TO: SAN LUIS REY RIVER

COUNTY: SAN DIEGO

DIVERSION
WITHIN: NW1/4 OF SE1/4 SECTION 24, T09S, R03W, SB&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, 1992. (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
1989	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 acre foot
1990	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 acre foot
1991	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1 acre foot

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

Irrigation 40 acres Avocadoes and Citrus

Stockwatering _____

Domestic _____

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.)

No changes

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: March 1st, 19 92, at Fallbrook, California

Signature: Volkert J Bernbeck

WR 40-1 (11/85)

0104

1991

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"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

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

STATE WATER RESOURCES CONTROL BOARD 12 AM '80 SACRAMENTO

$10103

A. Name of person diverting water Volkert J. Bernbeck (Rancho Bavaria)

Address 1036 Rice Canyon Rd., Fallbrook, CA Telephone: (714) 646-4857

B. Name of body of water at point of diversion Rice Canyon Creek

Tributary to San Luis Rey River

C. Place of diversion S½ NW ¼ of S.E¼ Section 24, Township 9 So, Range 3 W, ~~San Bernardino~~ San Diego County, San Bernardino base of San Diego Meridian B&M, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Water retention pond, (original application # 26020, Permit # 17856)

E. Capacity of diversion works _____ cubic feet per second / gallons per minute

Capacity of storage reservoir 50' wide, 75' long, 12' wide gallons / acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	½mil gal.	½mil. gal.	½mil. gal	½mil. gal.	½mil. gal	½mil. gal.	-0-	-0-	-0-	-0-	-0-	-0-	3mil.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.

Maximum annual water use in recent years 3 million gallons gallons / acre-feet

Minimum annual water use in recent years " gallons / acre-feet

Type of diversion facility: gravity X, pump ____

Method of measurement: weir ____, flume ____, electric power meter ____, water meter ____, estimate ____

F. Purpose of use (what water is being used for) Irrigation of avocado and citrus trees

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

H. Year of first use as nearly as known 1980

I. Name of person filing statement Volkert J. Bernbeck

Position General Partner Organization Rancho Bavaria a partnership

Mailing Address 351 Hospital Rd., Newport Beach, CA 92663 Telephone: (714) 646-4857

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: August 25, 1980, at Newport Beach, California.

Signature: V. J. Bernbeck

See Instructions on Reverse Side

SWRCB 40 (7/77)