STATE WATER RIGHTS BOARD

ORDER

APPLICATION 1203 PERMIT 580 LICENSE 3109

POINT 6.

SOUTH TWO THOUSAND FIVE HUNDRED TWENTY-FIVE (2525) FEET AND WEST ONE THOUSAND ONE HUNDRED FIFTY (1150) FEET FROM NE CORNER OF SECTION 17, T9N, R4E, MDB&M, BEING WITHIN SE$\frac{1}{4}$ OF NE$\frac{1}{4}$ OF SAID SECTION 17.

CROSS CANAL

POINT A.

SOUTH TWO HUNDRED (200) FEET AND WEST TWO THOUSAND EIGHT HUNDRED (2800) FEET FROM NE CORNER OF SECTION 24, T11N, R3E, MDB&M, BEING WITHIN NE$\frac{1}{4}$ OF NW$\frac{1}{4}$ OF SAID SECTION 24.

POINT B.

SOUTH ONE THOUSAND NINE HUNDRED FIFTY (1950) FEET AND WEST THREE THOUSAND ONE HUNDRED (3100) FEET FROM NE CORNER OF SECTION 18, T11N, R4E, MDB&M, BEING WITHIN SE$\frac{1}{4}$ OF NW$\frac{1}{4}$ OF SAID SECTION 18.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said License 3109 to place of use described as follows, to wit:

IRRIGATION OF 11,298 ACRES WITHIN A GROSS AREA OF 37,778.05 ACRES WITHIN TOWNSHIPS 9, 10, AND 11N, RANGES 3 AND 4E, MDB&M, AS SHOWN ON MAP FILED WITH THE STATE WATER RIGHTS BOARD.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 4th day of [illegible], 1966

L. K. Hill
L. K. Hill
Executive Officer

IT IS HEREBY ORDERED that permission be, and it is, granted:

1. To change the points of diversion under License 1050 (Application 534) to include Diversion Point 1 from the Sacramento River within SW$\frac{1}{4}$ of SE$\frac{1}{4}$ of Section 23, T11N, R3E, MDB&M.

2. To change the points of diversion and rediversion under License 1050 (Application 534) to include Diversion Point A from the Cross Canal within NE$\frac{1}{4}$ of NW$\frac{1}{4}$ of Section 24, [illegible] R3E, MDB&M, and Diversion Point B from the Cross Canal within [illegible] of NW$\frac{1}{4}$ of Section 18, T11N, R4E, MDB&M.

3. To change the points of diversion under License [illegible]09 (Application 1203), License 3[illegible] (Application 1413) and Application 15572 to include Diversion Point 3 from the Sacramento River within Lot 185 of Natomas Elkhorn subdivision, being within fractional Section 23, T10N, R3E, MDB&M.

4. To change the place of use under License 1050 (Application 534) to a net area of 5,903.54 acres in a gross area of 28,965.81 acres.

3

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 1203 PERMIT 580 LICENSE 3109

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION AND CHANGE IN PLACE OF USE

WHEREAS License 3109 was issued to Natomas Central Mutual Water Company and was filed with the County Recorder of Sutter County on October 2, 1950, and

WHEREAS the State Water Rights Board has found that the change in points of diversion and place of use under said license for which petitions were submitted on July 27, 1965, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said points of diversion and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said License 3109 to points of diversion described as follows, to wit:

POINTS OF DIVERSION ON SACRAMENTO RIVER

POINT 1.

NORTH NINE HUNDRED (900) FEET AND WEST ONE THOUSAND SEVEN HUNDRED (1700) FEET FROM SE CORNER OF PROJECTED SECTION 23, T11N, R3E, MDB&M, BEING WITHIN SW$\frac{1}{4}$ OF SE$\frac{1}{4}$ OF SAID SECTION 23.

POINT 2.

NORTH SEVENTY-FOUR DEGREES FIFTY-EIGHT MINUTES WEST (N74°58'W) TWO THOUSAND SIX HUNDRED (2600) FEET FROM SE CORNER OF SECTION 12, T10N, R3E, MDB&M, BEING WITHIN SW$\frac{1}{4}$ OF SE$\frac{1}{4}$ OF SAID SECTION 12.

POINT 3.

NORTH TWO THOUSAND ONE HUNDRED TWENTY-FIVE (2125) FEET AND WEST ONE THOUSAND THREE HUNDRED TWENTY-FIVE (1325) FEET FROM SE CORNER OF PROJECTED SECTION 23, T10N, R3E, MDB&M, BEING WITHIN LOT 185 OF NATOMAS ELKHORN SUBDIVISION AND WITHIN NE$\frac{1}{4}$ OF SE$\frac{1}{4}$ OF SAID SECTION 23.

5. To change the place of use under Licenses 3109 and 3110 (Applications 1203 and 1413) to a net area of 11,298.00 acres within a gross area of 28,732.35 acres.

6. To change the place of use under Application 15572 to a net area of 27,511.44 acres within a gross area of 28,732.35 acres.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, this 30th day of June, 1964.

Kent Silverthorne, Chairman

Ralph J. McGill, Member

W. A. Alexander, Member

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 1203 PERMIT 580 LICENSE 3109

ORDER ALLOWING CHANGE IN PLACE OF USE

WHEREAS:

1. License 3109 was issued to Natomas Central Mutual Water Company and was filed with the County Recorder of (1) Sutter County and (2) Sacramento County on October 2, 1950.

2. An order allowing change in points of diversion and place of use was granted on March 4, 1966, and was recorded with the County Recorder of (1) Sutter County on March 4, 1966, in book 689, page 409, and (2) Sacramento County on March 7, 1966, in book 66-03-07, page 663.

3. A petition for change in place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.

4. The Board has determined that such change in place of use does not constitute the initiation of a new right nor operate to the injury of any other water user involved.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Permission is hereby granted to change the place of use to a place of use described as follows:

   11,298 NET ACRES WITHIN A GROSS AREA OF 51,091 ACRES WITHIN TOWNSHIPS 9N, 10N AND 11N ALL IN RANGES 3E AND 4E, MDB&M AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

Dated: JUNE 27 1979

Walter G Pettit
for Michael A. Campos, Chief
Division of Water Rights

WRCB
133 (12-67)

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 1203 PERMIT 580 LICENSE 3109

ORDER ALLOWING CHANGE IN PURPOSE OF USE
AND AMENDING THE LICENSE

WHEREAS:

1. License 3109 was issued to Natomas Central Mutual Water Company and was filed with the County Recorder of Sacramento County on October 2, 1950.

2. An order allowing change in points of diversion and place of use was granted on March 4, 1966 and has been recorded with the County Recorder of Sutter County on March 4, 1966 in Book 689, Page 409 and with the County Recorder of Sacramento County on March 7, 1966, Document No. 18736.

3. An order allowing a change in the place of use was granted on June 27, 1979 and has been recorded with the County Recorder of Sutter County on July 12, 1979 in Volume 963, page 77.

4. A petition for change in purpose of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.

5. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

6. The license condition pertaining to the Board continuing authority will be amended to conform with Section 780(a), Title 23, California Code of Regulations.

7. Two conditions are being added to this license limiting the amount and place of use for municipal, industrial and domestic uses to the Sacramento Metropolitan Airport Area as a result of mitigation of a protest.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

   Irrigation, Municipal, Industrial and Domestic

4

2. Two Conditions are added to this license and read:

Domestic, municipal and industrial uses under Licenses 1050, 2814, 3109, 3110, and 9794 (Applications 534, 1056, 1203, 1413, and 15572) and Permit 19400 (Application 25727) are approved provided that water is diverted only at Diversion Point 3 located in the NE¼ of the SE¼ of Section 23, T10N, R3E, and that water for domestic, municipal and industrial uses is served only to those lands zoned for such use described as follows:

> Lands located within the Sacramento Metropolitan Airport and the Sacramento Airport Special Planning Area located within Sections 24, 25 and 36, T10N, R3E, and Sections 19, 20, 29, 30, 31 and 32, T10N, R4E, shown on a Map revised March 9, 1990 and filed herewith. (0360300)

The total amount of water diverted under Licenses 1050, 2814, 3109, 3110, 9794, and Permit 19400 shall not exceed 10,000 acre-feet during the period October 1 to April 1. (0000114)

3. The condition pertaining to the Board's continuing authority is amend to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, 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 license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee 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 license 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 licensee 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. (0000012)

Dated: JULY 12 1990

for Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 1203 PERMIT 580 LICENSE 3109

THIS IS TO CERTIFY, *That* Natomas Central Mutual Water Company, c/o J. F. Downey, Capital National Bank Building Sacramento, California *has made proof as of* November 14, 1949, *(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of* Sacramento River in Sacramento and Sutter counties

tributary to Suisun Bay

for the purpose of irrigation use *under Permit* 580 *of the Department of Public Works and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from* March 5, 1919; and

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed one hundred sixty (160) cubic feet per second to be diverted from about May 1 to about October 31 of each year, provided however that the total amount diverted hereunder and under Application 1413, Permit 1129, License 3109 shall not exceed two hundred seventy (270) cubic feet per second.

The points of diversion of such water are *located* as follows:

(1) North seventy-four degrees fifty-eight minutes West (N 74° 58' W) two thousand six hundred (2600) feet from SE corner of Section 12, T 10 N, R 3 E, M.D.B.&M., being within SW¼ of SE¼ of said Section 12.
(2) North nine hundred (900) feet and West one thousand seven hundred (1700) feet from SE corner of Section 23, T 11 N, R 3 E, M.D.B.&M., being within SW¼ of SE¼ of said Section 23.
Points of rediversion from Cross Canal are located as follows:
(A) South two hundred (200) feet and West two thousand eight hundred (2800) feet from NE corner of Section 24, T 11 N, R 3 E, M.D.B.&M., being within NE¼ of NW¼ of said Section 24.
(B) South one thousand nine hundred fifty (1950) feet and West three thousand one hundred (3100) feet from NE corner of Section 18, T 11 N, R 4 E, M.D.B.&M., being within SE¼ of NW¼ of said Section 18.

A description of the lands or the place where such water is put to beneficial use is as follows: A gross area of twenty-three thousand two hundred and twenty-two hundredths (23200.22) acres within T 9 N, R 4 E; T 10 N, R 3 & 4 E, and T 11 N, R 3 & 4 E, M.D.B.&M., and being within Natomas Bennett, Natomas Central, Natomas East Side, Natomas Elkhorn and Natomas Goodland subdivisions as shown on maps filed with the State Engineer. The total area irrigated in any one year shall not exceed eleven thousand two hundred ninety-eight (11298) acres.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer 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.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

12-8

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license 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 1628. Every license 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 license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, 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 license 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 licensee 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 licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivison of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 28th *day of* September, 1950

A. D. Edmonston

A. D. EDMONSTON,
~~EDWARD HYATT~~, *State Engineer*

LICENSE 3109

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO Natomas Central Mutual Water Co.

DATED SEP 28 1950

92121 6-48 2M STATE PRINTING OFFICE