STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13016 PERMIT 8494 LICENSE 7212

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE

WHEREAS:

1. License 7212 was issued to Santa Clara Valley Water Conservation District and was recorded with the County Recorder of Santa Clara County on March 31, 1965 in Book 6902, Page 7.

2. License 7212 was subsequently assigned to Santa Clara Valley Water District.

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

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

NOW, THEREFORE, IT IS ORDERED THAT:

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

   Irrigation, Domestic, Industrial, Recreational and Incidental Power

2. The place of use under this license shall be as follows:

   Irrigation, Domestic, Industrial and Recreational: Within the service area of the Santa Clara Valley Water District as shown on map, dated December 1969, filed with the State Water Resources Control Board.

   Incidental Power: Anderson Power Plant located within NW¼ of SW¼ of Projected Section 10, T9S, R3E, MDB&M.

Dated: FEBRUARY 14 1984

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

3

WRCB
133 (12-67)

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13016 PERMIT 8494 LICENSE 7212

Santa Clara Valley Water Conservation District
15420 Almaden Road
San Jose, California

Notice of Change (Over)

THIS IS TO CERTIFY, *That* *has made proof as of* February 27, 1962, *(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of* Coyote River in Santa Clara County

tributary to San Francisco Bay

for the purpose of irrigation, domestic, minor industrial, and incidental recreational uses *under Permit* 8494 *of the State Water Rights Board 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 State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from* April 4, 1949, *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* seventy-one thousand one hundred (71,100) acre-feet per annum to be collected from about December 1 of each year to about May 1 of the succeeding year.

The maximum withdrawal in any one year has been forty-three thousand three hundred seventy (43,370) acre-feet.

The point of diversion of such water is located:

South fifty-eight degrees west (S58°W) three hundred sixty (360) feet from common corner for Rancho La Laguna Seca, Rancho San Felipe and San Jose City Lands, being within SW$\frac{1}{4}$ of NE$\frac{1}{4}$ of projected Section 10, T9S, R3E, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:

159,075 acres within the Santa Clara Valley Water Conservation District as shown on map filed with State Water Rights Board.

Licensee shall maintain such records of well levels and of storage, stream flow and canal diversions as are required by the State Water Rights Board to establish the amount of percolation which occurs between Madrone gaging station and Coyote and the local distribution thereof, and copies of such records shall be mailed to the Board at intervals set by it.

The storage and diversion facilities shall be so operated under this license as to cause as nearly as practicable the same annual percolation between Madrone and Coyote as would have occurred in a state of nature without the existence of said facilities, and without increase in the amount occurring in the lower portion of the cone.

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 Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

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

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.

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 board.

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 subdivision 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 cannot 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.

Dated: MAR 30 1965

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

7-15-69 CHANGE OF ASSIGNMENT TO Santa Clara County Flood Control & Water District
1-7-74 Name changed to Santa Clara Valley Water District

LICENSE 7212
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

Santa Clara Valley Water Conservation District
ISSUED TO

MAR 30 1965
DATED

72848 3-58 1M (1) SPO

FEB 25 '65 M.J.B.

2