

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20522

PERMIT 13746

LICENSE 10496

ORDER ALLOWING CHANGE IN PLACE OF USE
AND MODIFICATION OF LICENSE TERM

WHEREAS:

1. License 10496 was issued to Sacramento Municipal Utility District and was recorded with the County Recorder of El Dorado County on July 3, 1975 in Book 1331, Page 785.
2. An order allowing correction of License Term was granted on January 12, 1977 and has been recorded with the County Recorder of El Dorado County on January 19, 1977 in Book 1465, Page 72.
3. License 10496 was subsequently partly assigned to Pacific Gas and Electric Company.
4. A petition for change in place of use and modification of License Term 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 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 place of use under this license shall be as follows:

White Rock Powerhouse (SMUD) - Within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31, T11N, R11E,
MDB&M

Camino Powerhouse (SMUD) - Within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, T11N, R12E,
MDB&M

Slab Creek Dam Powerhouse (SMUD) - SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, T11N, R11E,
MDB&M

Chili Bar Powerhouse (PG&E) - Within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25, T11N, R10E,
MDB&M.

2. Paragraph 1, page 2 of License 10496 relating to fish releases from Slab Creek Reservoir under said License 10496, be replaced by the following term:

The Licensee shall release through a near-streambed outlet of Slab Creek Dam the flows specified in the following schedule as measured by the existing U.S. Geological Survey gaging station located about one-eighth of a mile below the Slab Creek dam or at such new location as may be determined pursuant to Article 7 of Form L-2 of FERC License 2101:

Forecast of the unimpaired runoff of the American River inflow to Folsom Lake for the current water year, October 1 through September 30, in acre-feet, 1/

Minimum instantaneous release to South Fork from Slab Creek Dam in cubic feet per second

	June 1 thru November 15	November 16 thru May 31
More than 2,000,000	36	36
Less than 2,000,000 but not less than 1,500,000	36	36
Less than 1,500,000 but not less than 1,000,000	36	10
Less than 1,000,000	36	10

1/ As presented in the Bulletin of the California Department of Water Resources, "Water Conditions in California," beginning with the March 1 bulletin and applying in turn the April 1 and May 1 bulletins as they are issued. The May 1 bulletin shall apply until March 1 bulletin of the succeeding year is issued.

- This permit is subject to the agreement dated July 15, 1982 between Licensee and the State Department of Boating and Waterways, to the extent such agreement covers matters within the Board's jurisdiction.

Dated: AUGUST 31 1983

Raymond Walsh

Raymond Walsh, Chief
 Division of Water Rights

X.10496

4-25-79 partial asgmt to P.G. & E.

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20522

PERMIT 13746

LICENSE 10496

ORDER ALLOWING CORRECTION OF LICENSE TERM

WHEREAS, the provisions of a term setting standards for operation of Chili Bar Diversion Dam and Powerhouse to smooth downstream discharge and maintain streamflow have been found to be outside the control of the licensee,

NOW, THEREFORE, IT IS ORDERED that said term be modified to read as follows:

THE LICENSEE SHALL OPERATE ITS FACILITIES AND COORDINATE WITH THE OPERATOR OF CHILI BAR POWERPLANT IN ORDER THAT SAID CHILI BAR POWERPLANT OPERATOR MAY CONFORM WITH THE REQUIREMENTS OF FPC LICENSE 2101 WHICH PROVIDE THAT CHILI BAR DIVERSION DAM AND POWERPLANT SHALL BE OPERATED SO AS TO SMOOTH THE DOWNSTREAM DISCHARGE AND MAINTAIN STREAMFLOW. SAID REQUIREMENTS SPECIFICALLY PROVIDE THAT CHANGE OF CONTROLLABLE DISCHARGE SHALL BE GRADUAL AND AT NO GREATER RATE THAN WILL INCREASE OR DECREASE THE STAGE OF THE RIVER BY ONE FOOT IN ELEVATION DURING ANY ONE-HOUR PERIOD, SUCH CHANGES IN STAGE TO BE MEASURED AT A CONTROL POINT OF REPRESENTATIVE WIDTH DOWNSTREAM FROM CHILI BAR DAM BY THE STREAM GAGE INSTALLED UNDER THE SUPERVISION OF THE U. S. GEOLOGICAL SURVEY PURSUANT TO ARTICLE 7 OF FORM L-2 OF FPC LICENSE 2101; PROVIDED AT NO TIME SHALL THE FLOW PAST THE GAGING STATION BE LESS THAN 100 SECOND FEET.

Dated: **JANUARY 12 1977**

R. L. Rosenberger
R. L. Rosenberger, Chief
Division of Water Rights

THE LICENSEE SHALL RELEASE THROUGH A NEAR STREAMBED OUTLET OF SLAB CREEK DAM THE FLOWS SPECIFIED IN THE FOLLOWING SCHEDULE AS MEASURED AT THE EXISTING U. S. GEOLOGICAL SURVEY GAGING STATION LOCATED ABOUT 1/8 OF A MILE BELOW THE SLAB CREEK DAMSITE OR AT SUCH LOCATION AS MAY BE DETERMINED PURSUANT TO ARTICLE 7 OF FORM L-2 OF FPC LICENSE 2101.

FORECAST OF THE UNIMPAIRED RUNOFF OF THE AMERICAN RIVER, INFLOW TO FOLSOM, FOR THE CURRENT WATER YEAR OCTOBER 1 THROUGH SEPTEMBER 30, IN ACRE-FEET. 1/-----

MINIMUM INSTANTANEOUS RELEASE TO SOUTH FORK FROM SLAB CREEK DAM IN CUBIC FEET PER SECOND. -----

	APRIL THRU <u>JUNE</u>	JULY THRU <u>OCTOBER</u>	NOVEMBER THRU <u>MARCH</u>
A. MORE THAN 2,000,000	75	35	20
B. LESS THAN 2,000,000 BUT NOT LESS THAN 1,500,000	60	30	15
C. LESS THAN 1,500,000	25	25	15

THE LICENSEE SHALL OPERATE ITS CHILI BAR DIVERSION DAM AND POWERPLANT SO AS TO SMOOTH THE DOWNSTREAM DISCHARGE AND MAINTAIN STREAMFLOW; CHANGE OF CONTROLLABLE DISCHARGE SHALL BE GRADUAL AND AT NO GREATER RATE THAN WILL INCREASE OR DECREASE THE STAGE OF THE RIVER BY ONE FOOT IN ELEVATION DURING ANY ONE-HOUR PERIOD, SUCH CHANGES IN STAGE TO BE MEASURED AT A CONTROL POINT OF REPRESENTATIVE WIDTH DOWNSTREAM FROM CHILI BAR DAM BY THE STREAM GAGE INSTALLED UNDER THE SUPERVISION OF THE U. S. GEOLOGICAL SURVEY PURSUANT TO ARTICLE 7 OF FORM L-2 OF FPC LICENSE 2101; PROVIDED AT NO TIME SHALL THE FLOW PAST THE GAGING STATION BE LESS THAN 100 SECOND FEET.

THIS CONDITION IS INCLUDED PURSUANT TO AN AGREEMENT BETWEEN LICENSEE AND THE DEPARTMENT OF FISH AND GAME AND WILL NOT NECESSARILY CONTROL ACTION BY THE STATE WATER RESOURCES CONTROL BOARD ON APPLICATIONS BY OTHERS TO APPROPRIATE WATER FROM THE SAME SOURCE.

1/ AS PRESENTED IN THE BULLETIN OF THE CALIFORNIA DEPARTMENT OF WATER RESOURCES "WATER CONDITIONS IN CALIFORNIA" BEGINNING WITH THE MARCH 1 BULLETIN AND APPLYING IN TURN THE APRIL 1 AND MAY 1 BULLETINS AS THEY ARE ISSUED. THE MAY 1 BULLETIN SHALL APPLY UNTIL THE MARCH 1 BULLETIN OF THE SUCCEEDING YEAR IS ISSUED.

LICENSEE SHALL MAINTAIN, BY RELEASE THROUGH A NEAR STREAMBED OUTLET OF BRUSH CREEK DAM, THE FOLLOWING SCHEDULE OF FLOWS: SAID FLOWS TO BE DETERMINED BY A STAFF GAGE, SAID GAGE TO BE LOCATED NOT MORE THAN 1/4 MILE BELOW BRUSH CREEK DAM. WHEN THE FORECAST OF THE UNIMPAIRED RUNOFF OF THE AMERICAN RIVER, INFLOW TO FOLSOM, FOR THE CURRENT WATER YEAR, OCTOBER 1 THROUGH SEPTEMBER 30, IS MORE THAN 1,500,000 ACRE-FEET. MINIMUM INSTANTANEOUS RELEASE FROM BRUSH CREEK DAM SHALL BE 6 CUBIC FEET PER SECOND FROM NOVEMBER 1 THROUGH MAY 31 AND 3 CUBIC FEET PER SECOND FROM JUNE 1 THROUGH OCTOBER 31.

WHEN THE FORECAST OF THE UNIMPAIRED RUNOFF OF THE AMERICAN RIVER, INFLOW TO FOLSOM, FOR THE CURRENT WATER YEAR, OCTOBER 1 THROUGH SEPTEMBER 30, IS LESS THAN 1,500,000 ACRE-FEET. MINIMUM INSTANTANEOUS RELEASE FROM BRUSH CREEK DAM SHALL BE 4 CUBIC FEET PER SECOND FROM NOVEMBER 1 THROUGH MAY 31 AND 2 CUBIC FEET PER SECOND FROM JUNE 1 THROUGH OCTOBER 31.

PROVIDED THAT THE STATED MINIMUM RELEASES MAY BE REDUCED TO EQUAL THE NATURAL FLOW IMMEDIATELY ABOVE BRUSH CREEK RESERVOIR IF SUCH FLOW IS LESS THAN THE AMOUNTS SPECIFIED.

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SECRET

NO 201

TO: [illegible]

ATTACHED
[illegible]

[illegible text]



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 20522

PERMIT 13746

LICENSE 10496

THIS IS TO CERTIFY, That

SACRAMENTO MUNICIPAL UTILITY DISTRICT
P. O. BOX 15830, SACRAMENTO, CALIFORNIA 95813

HAS made proof as of OCTOBER 23, 1970 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
(1)(3) SOUTH FORK AMERICAN RIVER AND (2) BRUSH CREEK IN EL DORADO COUNTY

tributary to (1)(3) AMERICAN RIVER AND (2) SOUTH FORK AMERICAN RIVER THENCE
AMERICAN RIVER

for the purpose of POWER USE
under Permit 13746 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from DECEMBER 12, 1961 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed ONE THOUSAND NINE HUNDRED (1,900) CUBIC FEET PER SECOND,
TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

BRUSH CREEK - BRUSH CREEK DAM - NORTH 35° 00' WEST 2,450 FEET FROM SE CORNER OF
SECTION 10, T11N, R12E, MDB&M, BEING WITHIN NW1/4 OF SE1/4 OF SAID SECTION 10.

THE POINTS OF DIVERSION AND REDIVERSION OF SUCH WATER ARE LOCATED:

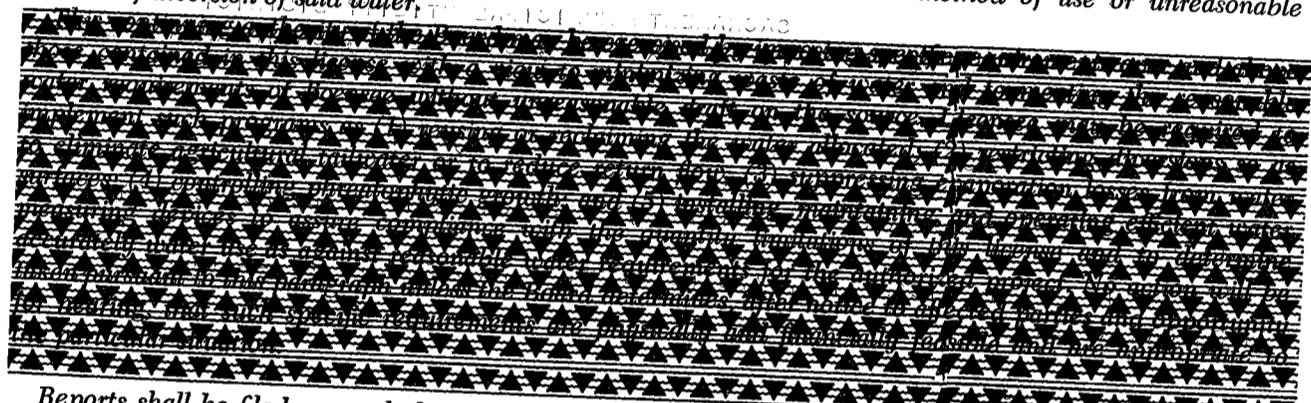
SOUTH FORK AMERICAN RIVER - SLAB CREEK DAM - NORTH 35°39'55" EAST 3,622.27 FEET
FROM SW CORNER OF SECTION 25, T11N, R11E, MDB&M, BEING WITHIN SE1/4 OF NW1/4
OF SAID SECTION 25, AND
SOUTH FORK AMERICAN RIVER - CHILI BAR DAM - NORTH 52°36'08" EAST 3,163.80 FEET
FROM W1/4 CORNER OF SECTION 25, T11N, R10E, MDB&M, BEING WITHIN NE1/4 OF
SW1/4 OF SAID SECTION 25.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WHITE ROCK POWERHOUSE - WITHIN NW1/4 OF NE1/4 OF SECTION 31, T11N, R11E, MDB&M.
CHILI BAR POWERHOUSE - WITHIN NE1/4 OF SW1/4 OF SECTION 25, T11N, R10E, MDB&M.
CAMINO POWERHOUSE - WITHIN SW1/4 OF SE1/4 OF SECTION 15, T11N, R12E, MDB&M.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

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 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 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: JUL 1 1975

STATE WATER RESOURCES CONTROL BOARD

R. J. Rumberger
Chief, Division of Water Rights

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