

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

ORDER

APPLICATION 11010

PERMIT 6565

LICENSE _____

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING PERMIT**

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

APPLICATION OF THE WATER TO THE PROPOSED USE
SHALL BE COMPLETED ON OR BEFORE

December 1, 1987

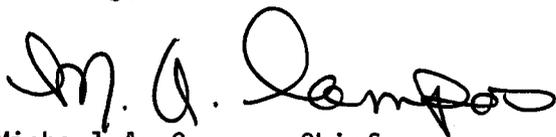
2. Paragraph 7 of the permit be amended to read as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, 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 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 permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (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) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit 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.

Dated: JULY 13 1979

A handwritten signature in black ink, appearing to read "M. A. Campos". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Michael A. Campos, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 3010,
6565, and 14704, Issued on Applica-
tions 5654, 11010, and 21128,
SANTA CLARA VALLEY WATER DISTRICT,
Permittee.

Order: WR 74-29
Sources: Los Gatos Creek,
Penitencia Creek
and Coyote River
County: Santa Clara

ORDER GRANTING EXTENSIONS OF
TIME, AMENDING PERMITS, AND DIRECTING
ISSUANCE OF LICENSE

BY BOARD MEMBER DODSON:

The time to complete construction work and use of water under Permit 3010 expired on December 1, 1970. The time to complete construction work and use of water under Permit 6565 and use of water under Permit 14704 expired December 1, 1968. On April 9, 1973, the permittee filed petitions for a 3-year extension of time to complete construction work and/or beneficial use of water under the permits.

A public hearing was held before the State Water Resources Control Board on August 15, 1973, to determine whether extensions of time should be granted, or licenses should be issued for the amounts of water placed to beneficial use, or the permits revoked. Permittee Santa Clara Valley Water District (then known as Santa Clara County Flood Control and Water District) and the Sierra Club, an interested party, having appeared and presented evidence, the evidence having been duly considered, the Board finds as follows:

1. Permit 3010 was issued on Application 5654 on April 13, 1928, for the appropriation of 10,000 acre-feet of water per annum (afa) from Los Gatos Creek. The largest quantity of water diverted under the authority of this permit was 3,680 acre-feet (af) during the 1972-73 season (RT 7). The permittee opposes the issuance of a license limited to this quantity and requests a further extension of time to place more water to beneficial use by means of groundwater recharge facilities constructed since the last extension of time. The permittee now has 128 acres being used as offstream spreading basins (RT 7). Also, the permittee has developed desilting works and chemical treatment facilities which enables it to divert more water to underground storage. The permittee now has facilities capable of diverting 14,000 afa of water into underground storage (RT 9).

2. Permit 6565 was issued in the matter of Application 11010 on July 29, 1946, for the appropriation of 3,500 afa of water from Penitencia Creek. The largest quantity of water diverted under the authority of this permit was 2,230 af during the 1950-51 season (Permittee's Exh. 5). Commencing in the mid-1950's there has been a marked reduction in the quantity of water recharged through the percolating ponds covered by this permit. In the 5-year period 1967-68 through 1971-72, the maximum annual groundwater diversion was 261 af (Permittee's Exh. 5). However, diversions have been increasing in recent years and 1,290 af was diverted in the 1972-73 season (Permittee's Exh. 5). This change has been due principally to the

diminished turbidity of the water which had limited diversions into the recharge facilities to certain times of the year. The turbidity had been caused chiefly by upstream construction activities which have ceased (RT 19).

With declining turbidity in the stream and with the additional recharge facilities constructed, or to be constructed, the permittee should be able to use the full quantity authorized by Permit 6565 (RT 27). Permittee estimates that all of its facilities will be constructed by 1977 (RT 28).

3. Permit 14704 was issued on Application 21128 on April 7, 1965, for the appropriation of 61,570 afa from Coyote Creek for additional storage in Coyote and Anderson Reservoirs. The permittee has requested that reference to Coyote Reservoir be deleted from Permit 14704 as its License 7211 fully covers storage in that reservoir (RT 39). Anderson Reservoir is partially covered by permittee's License 7212. At the time of licensing, the capacity of Anderson Reservoir was estimated to be 71,100 af based on a plane table survey. Since that time the capacity of Anderson Reservoir has been more accurately determined by aerial photography to be 91,280 af (RT 36, 37). Permittee requests that Permit 14704 be licensed for 20,180 afa to cover the additional capacity of the reservoir.

While Anderson Reservoir has filled and spilled four times since its construction, the permittee's records show the maximum annual withdrawal from storage for beneficial use has amounted to only 43,370 af (files of Application 21128). Any license issued pursuant to Permit 14704 should contain a statement that the maximum total withdrawal under that license and License 7212 has been 43,370 afa.

4. The Sierra Club has no objection to the granting of the permittee's petitions and requests provided the following conditions are imposed on the permittee: (a) permittee shall reserve 1,810 afa plus storage losses from Los Gatos Creek (Permit 3010) to be released at the rate of 5 cubic feet per second (cfs) from May 1 to October 31 to provide for fish and wildlife and to support existing and planned recreational facilities; (b) permittee shall reserve 5,430 afa plus storage losses from Coyote Creek to be released at the rate of 15 cfs for the same period and for the same purposes; (c) permittee shall reserve water for mitigating land subsidence due to groundwater overdraft; and (d) permittee is given a specific "time certain" for completion of the necessary works and facilities and for accomplishing its proposed objectives (RT 44, 45).

The project covered by Permit 3010 consists solely of direct diversion from Los Gatos Creek to spreading grounds and no water is to be stored which could be later released as suggested. While the permittee has storage in Vasona and Lexington Reservoirs on Los Gatos Creek, these projects are already under license (6944 and 5729 respectively) and, further, they were not subject of the hearing.

In order to provide for existing rights on Coyote Creek below Anderson Dam, and to convey water to its spreading grounds, the permittee releases water at a rate usually much greater than 15 cfs during the months of May through October. Most of the water released is diverted or percolated into the groundwater basin before reaching the southeast limits of the City of San Jose. However, the

maintenance of a flow of 15 cfs in Coyote Creek in the lower portion of the Coyote Creek water basin could aggravate an existing water-logging condition (statement of permittee filed August 30, 1973).

Apart from the question of the propriety of the Board requiring the permittee to reserve water to mitigate the problem of land subsidence, the problem is apparently no longer critical in the Santa Clara Valley (Land Subsidence, Santa Clara Valley, etc., J. F. Poland, Technical Report No. 2, U.S.G.S. 1971). In any event, no evidence of any subsidence problem was produced at the hearing for the Board to now consider.

5. Permits 3010 and 6565 should be amended to include additional terms that have become standard since they were issued.

NOW THEREFORE IT IS ORDERED:

1. Time to place water to beneficial use under Permit 3010 is extended to December 1, 1977.

2. Time to complete construction work under Permit 6565 is extended to December 1, 1976, and the time to place water to beneficial use is extended to December 1, 1977.

3. References to Coyote Reservoir are deleted from Permit 14704 and a license shall be issued to the permittee confirming a right to store 20,180 afa in Anderson Reservoir. The license shall include the following provision: "The maximum total annual combined withdrawal under this license and License 7212 has been 43,370 acre-feet."

4. Permits 3010 and 6565 are amended to contain the following terms:

(a) All rights and privileges under this permit and under any license issued pursuant thereto, 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 prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit 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.

(b) The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice

to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Dated: September 19, 1974

We Concur:

ROY E. DODSON
Roy E. Dodson, Member

W. W. ADAMS
W. W. Adams, Chairman

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

MRS. CARL H. (JEAN) AUER
Mrs. Carl H. (Jean) Auer, Member

ABSENT

W. Don Maughan, Member

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 11010

PERMIT 6565

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 6565; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1968

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1968

DATED: SEP 2 1966

L. K. Hill

L. K. HILL
EXECUTIVE OFFICER

ORDER

APPLICATION 11010

PERMIT 6565

LICENSE _____

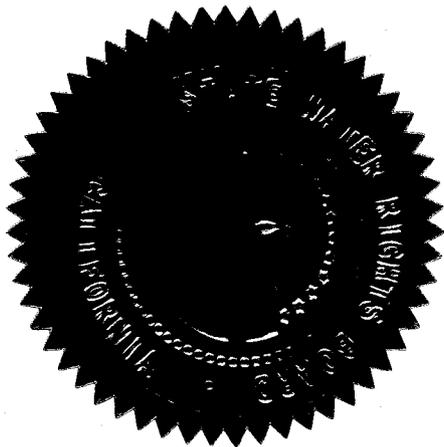
ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 6565 , said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is, hereby granted until December 1, 1965 , within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 2nd day of January, 1964

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



ORDER

APPLICATION 11010

PERMIT 6565

LICENSE _____

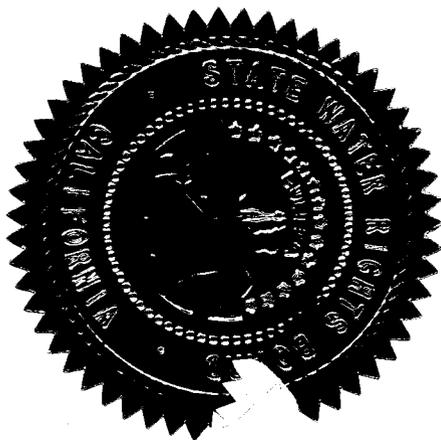
ORDER GRANTING EXTENSION OF TIME
WITHIN WHICH TO COMPLETE USE OF WATER

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete application of water to the proposed use under Permit 6565 said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is hereby granted until December 1, 1962, within which to complete application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board
this 21st day of October, 1960

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



THE HISTORY OF THE
REPUBLIC OF THE UNITED STATES

The history of the United States is a story of a young nation that grew from a small group of colonies on the eastern coast of North America to a powerful superpower that spans the globe. The story begins with the first European settlers in the early 17th century, who established colonies in Virginia, Massachusetts, and other parts of the eastern seaboard. These colonies were founded by people seeking religious freedom, economic opportunity, and a better life. Over time, the colonies developed their own institutions and a sense of identity distinct from their British parent country. The American Revolution, which began in 1775, was a pivotal moment in the nation's history. It was a struggle for independence that resulted in the signing of the Declaration of Independence in 1776 and the adoption of the Constitution in 1787. The Constitution established a federal government with three branches: the executive, the legislative, and the judicial. The early years of the republic were marked by challenges, including the War of 1812 and the sectional tensions that led to the Civil War in the mid-19th century. The Civil War was a defining moment in American history, as it resolved the issue of slavery and established the principle of federal supremacy. Following the Civil War, the United States experienced a period of rapid growth and industrialization, which led to the emergence of a powerful middle class and the rise of big business. The late 19th and early 20th centuries were also marked by the expansion of the United States across the continent and into the Pacific. The Spanish-American War in 1898 resulted in the acquisition of territories such as Puerto Rico, Guam, and the Philippines, marking the beginning of the United States' role as a global power. The 20th century was a period of unprecedented change for the United States, as it emerged as a superpower following the end of World War II. The United States played a leading role in the development of the United Nations and the Bretton Woods system, and it became a key ally in the Cold War. The 1960s and 1970s were also marked by the Vietnam War and the civil rights movement, which led to significant social and political changes. Today, the United States remains a major power in the world, with a rich and diverse culture and a long history of innovation and achievement.

THE HISTORY OF THE
REPUBLIC OF THE UNITED STATES
BY
JAMES M. SMITH
NEW YORK: THE HISTORY COMPANY, 1912

ORDER

APPLICATION 11010

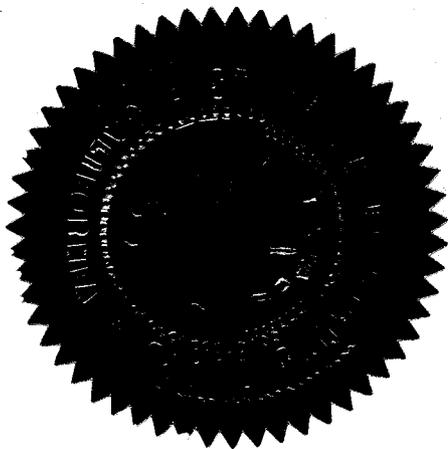
PERMIT 6565

LICENSE _____

ORDER GRANTING EXTENSION OF TIME TO
COMPLETE USE OF WATER

Good cause having been shown therefor, it is ordered that an extension of time be and the same is hereby granted until December 1, 1959, within which to complete application of water to the proposed use under said permit.

Witness the hand and seal of the State Water Rights Board this day of MAY 20 '57



STATE WATER RIGHTS BOARD

By Leslie C. Jopson
Leslie C. Jopson
Chief Engineer

ORDER

APPLICATION 11010PERMIT 6565

LICENSE _____

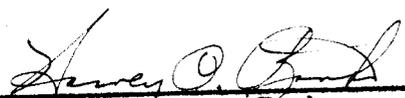
ORDER GRANTING EXTENSION OF TIME TO
COMPLETE USE OF WATER

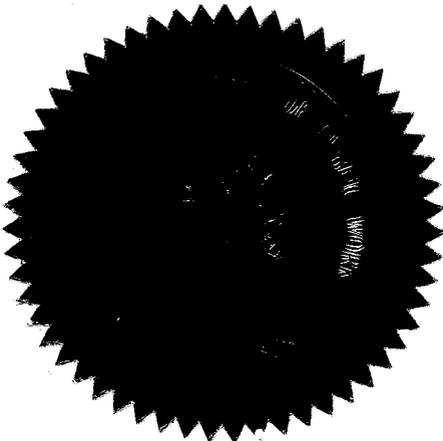
WHEREAS good cause has been shown wherefore an extension of time should be allowed for the application of the water to complete beneficial use under the above-numbered application and permit,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1956, within which to apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 23 day of February, 1954.

A. D. EDMONSTON, STATE ENGINEER

By 
Harvey O. Banks
Assistant State Engineer



STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC SAFETY

NOTICE TO APPEAR IN COURT

YOU are hereby notified that you are summoned to appear in court on the following date and at the following place to answer to the charge or charges specified below:

DATE: [illegible]
PLACE: [illegible]
CHARGE: [illegible]

IF you fail to appear in court on the date and at the place specified above, you may be held in contempt of court and a warrant may be issued for your arrest.

WITNESSE MY HAND AND SEAL OF OFFICE this [illegible] day of [illegible] 19[illegible].
[illegible]
[illegible]

ORDER

APPLICATION 11010PERMIT 6565

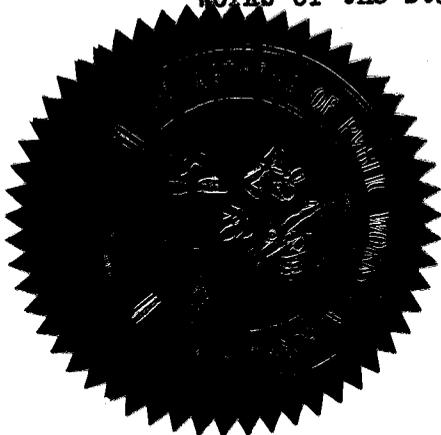
LICENSE _____

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH
TO COMPLETE USE OF WATER

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the application of the water to complete beneficial use under Application 11010, Permit 6565,

NOW THEREFORE it is hereby ordered that an extension of time be and the same is hereby granted until December 1, 1953, within which to apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 11th day of August, 1950.



A. D. Edmonston
A. D. Edmonston
State Engineer

[For full information concerning the filling out and filing of this form refer to Regulation 4 of Rules and Regulations of the Division of Water Resources Governing the Appropriation of Water]

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES
SACRAMENTO

DIVISION OF WATER RESOURCES

Application No. 11010 Filed March 20, 1945 at 10:51AM.
(Applicant must not fill in the above blanks)

1945 MAR 20 AM 10 51

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

This application involves in no way the right to construct a dam

APR 14 1945 AMENDED APPLICATION RECEIVED

Notice of Change (Over)

I, SANTA CLARA VALLEY WATER CONSERVATION DISTRICT
Name of applicant

of San Jose County of Santa Clara,
Post office

State of California, do hereby make application for a permit to appropriate the

following described unappropriated waters of the State of California, *SUBJECT TO EXISTING RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Penitencia Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Santa Clara County, tributary to Coyote River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use without storage _____ cubic feet per

1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

second, to be diverted from _____ to _____ of each season.
Beginning date each season Closing date each season

(b) For diversion to be stored temporarily and later applied to beneficial use 3500 acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between November 1 and June 1 of each season.
Beginning date each season Closing date each season (See supplement)

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. The amounts stated must be in definite terms of some established unit of measurement. Neither these amounts nor the season may be increased after application is filed.

3. The use to which the water is to be applied is irrigation and domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational

_____ purposes.

4. The point of diversion is to be located (See supplement)
State bearing and distance or coordinate distances to section or quarter section corner

being within the SE 4 of SW 4
State 40-acre subdivision of U. S. Government survey or projection thereof

of Section 23, Tp. 6S, R. 1E, M.D.B.M., in the County of Santa Clara

5. The main conduit terminates in SE 4 of SW 4, of Sec. 23, Tp. 6S, R. 1E, M.D.B.M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application can be approved for an amount grossly in excess of the estimated capacity of the diversion works

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping: Capacity of plant _____ gallons per minute.

(b) Diversion will be by gravity, the diverting dam being 8' feet in height (stream bed to level of overflow); 9 feet long on top; and constructed of rubble masonry
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, etc.

7. Storage Reservoir Penitencia Percolating Ponds *(See supplement)*
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

W.F.C.
3-21-45
See supplement
W.F.C.
3-21-45

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) feet; width at bottom

feet; depth of water feet; length feet; grade feet per 1,000 feet; materials

of construction Earth, rock, timber, etc. (See Supplement)

(b) Pipe line: Diameter inches; length feet; grade feet per

1,000 feet; total fall from intake to outlet feet; kind Riveted steel, cement, wood-stave, etc.

NOTE—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion works proposed is 50 sec. ft.

State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is

Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before Completed

Construction work will be completed on or before

Amended by order of Aug 1 1950

The water will be completely applied to the proposed use on or before within 5 years

Description of Proposed Use

11. Place of Use. SANTA CLARA VALLEY WATER CONSERVATION DISTRICT, including

State 40-acre subdivisions of the public land survey. If area is unurveyed indicate the location as if lines of the public land

133,000 acres in Northern Santa Clara Valley as shown on map filed

survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing all 40-acre

tracts, describe area in a general way and show detail upon map. These blanks need not be filled in when municipal use is proposed.

Does applicant own the land whereon use of water will be made? No

Owners of land which will use water are within the District

If applicant does not own land whereon use of water will be made, state what arrangements have been made with owner.

12. Domestic Use. Domestic use is proposed as follows: Incidental domestic use within

Describe nature of use which may include stock water and the irrigation of domestic

the 133,000 acres of Santa Clara Valley Water Conservation District

gardens not exceeding one-half acre each in area connected with places of residence.

The amount for which application is made was determined by

Describe basis of quantity needed

13. Irrigation Use. The area to be irrigated is 133,000 acres.

State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice acres; alfalfa acres;

orchard 100,000 acres; general crops 33,000 acres; pasture acres.

NOTE—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about March 1st and end about December 1st

Beginning date each season Closing date each season

The land to be irrigated has another water right or source of water supply other than that herein applied for. The nature

and amount of the additional supply referred to is wells on various ranches

14. Power Use. The total fall to be utilized is

Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is

The maximum theoretical horsepower capable of being generated by the works is

Second feet X fall ÷ 8.8

The use to which the power is to be applied is

For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is

Turbine, Pelton wheel, etc.

The size of nozzle to be used is inches.

The water will not be returned to

Name stream

State 40-acre subdivision

Sec. R. T. M.

S U P P L E M E N T to Application 11810

1
2 2. (b) Diversion to be stored temporarily and later applied to
beneficial use - 3,500 ac. ft. per year, between Nov. 1 and June 1.

3 These percolation ponds percolate the water into the underground
4 reservoir from which it is recovered by pumping plants located on various
ranches within the district. No surface storage is contemplated.

5
6 4. Point of diversion - N 41°28' E 281. feet from pt "D" as shown
7 on "Map of Reservation Tract, Part of the Pueblo Tract No. 1, San Jose
City Lands" filed in Bk. "F" of Maps, page 46 Records of Santa Clara
8 County. Pt "D" is the most southerly corner of Lot 11 of said tract and
is also the point of intersection of the E of Noble Ave. with the E of
9 Penitencia Creek. Pt. of diversion is within said Lot 11 & in S E $\frac{1}{4}$ of
S W $\frac{1}{4}$ projected Sec. 23 T6SR1E MDB&M. Rediversion points - Water will be
10 recovered by means of various wells located within the lands of the District

11 5. Main conduit terminates in Lot 10 of said "Reservation Tract"
12 in S E $\frac{1}{4}$ of S W $\frac{1}{4}$ of projected Sec. 23 T6SR1E.

13
14 6. (b) Diversion by gravity, dam being 8' high 90' long top & bottom.
Rubble masonry with removable flash board section 12' long & 3' high.

15
16 7. The percolation reservoir will flood lands in "Pueblo Tract No. 1",
17 San Jose City lands in S E $\frac{1}{4}$ of S W $\frac{1}{4}$ Sec. 23; S W $\frac{1}{4}$ of S W $\frac{1}{4}$ of Sec. 23;
S E $\frac{1}{4}$ of S E $\frac{1}{4}$ of Sec. 22; S W $\frac{1}{4}$ of S E $\frac{1}{4}$ of Sec. 22; N $\frac{1}{2}$ of N E $\frac{1}{4}$ & N $\frac{1}{2}$ of
18 N W $\frac{1}{4}$ & S W $\frac{1}{4}$ of N W $\frac{1}{4}$ of Sec. 27; S E $\frac{1}{4}$ of N E $\frac{1}{4}$ of Sec. 28; all in
projected T6SR1E MDB&M.

19 Surface area 5.7 acres Capacity 16.5 ac. ft.

20 The diversion dam, conduit and percolation ponds have already been
constructed. The ponds (37 in number) are constructed on a strip of land
50' wide extending from a point on the Southwesterly line of Noble Ave.
170' N of the Penitencia Creek to a point 840' W of Capital Ave. and 300' ft.
21 Northerly from Penitencia Creek. The area of the underground basin for the
purpose of this application will be considered as the area of the District.

22
23 8. The conduit is 300' long from the diversion dam to Noble Ave. and
24 consists of 60 ft. of concrete flume, 210 ft. of ditch and 30' of 36" corrugated
pipe culvert.

25 The flume is 8' wide at top & bottom; depth of water 1 foot and grade
1 ft. per 1000 ft..

26 The ditch is 6' wide at bottom: 12' wide at water surface with depth
of water 3 feet and grade 1 ft. per 1000 ft..

27 The 36" pipe has a grade of 1 ft. per 1000 ft..

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 6565

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions ~~to be added or changed~~
~~as shown on the plans of the project, as amended.~~

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed thirty-five hundred (3,500) acre feet per annum by underground storage to be collected, from about November 1 to about June 1 of each season.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.
3. Actual construction work shall begin on or before **November 1, 1946,** and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.
4. Said construction work shall be completed on or before **December 1, 1948.**
5. Complete application of the water to the proposed use shall be made on or before **December 1, 1949.**
6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the Division of Water Resources until license is issued.
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Division of Water Resources 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, **and to prevent unreasonable interference with vested rights.**



Witness my hand and the seal of the
Department of Public Works of the State of California
this 29th day of July 1946

EDWARD HYATT
State Engineer

By A. W. Edmundson
Deputy

The Water Commission Act was superseded by the Water Code on August 4, 1943. By force of the provisions of the latter, all references in this form to the Division of Water Resources will be understood to mean the Department of Public Works acting by and through the State Engineer.

PERMIT 6565

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim

_____ and the nature of the mines is _____
Gold placers, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will not be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

_____ and it will not be returned to _____
Name stream

_____ in _____
State 40-acre subdivision

Sec. _____, Tp. _____, R. _____, M. _____

17. Industrial Use. The nature of the use proposed is _____
Describe nature and method of use

The amount for which application is made was determined by _____
Describe basis of estimate of quantity needed

18. Recreational Use. Water will be used for _____
Describe nature and method of use

The amount for which application is made was determined by _____
Describe basis of estimate of quantity needed

General

19. Are the maps as required by the Rules and Regulations filed with Application? Yes _____
If not, _____

state specifically the time required for filing same _____

20. Does the applicant own the land at the proposed point of diversion? Yes _____
If not, state what _____

steps have been taken to secure right of access thereto _____

21. What is the name of the post office most used by those living near the proposed point of diversion? _____
San Jose

22. What are the names and addresses of claimants of water from the source of supply below the proposed point _____
of diversion? _____
None known

SANTA CLARA VALLEY WATER CONSERVATION DISTRICT

[[SIGNATURE OF APPLICANT]]

John J. ...

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