

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

**ORDER**

APPLICATION 10990 PERMIT 6960 LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE  
AND AMENDING THE PERMIT

**WHEREAS:**

1. Permit 6960 was issued to City of Napa on December 3, 1947 pursuant to Application 10990.
2. A petition for an 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 (Board).
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
4. Permit Condition 9 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 9 of the permit be amended to read:

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

December 31, 1999

(0000009)

2. Condition 9 of the permit be amended to read:

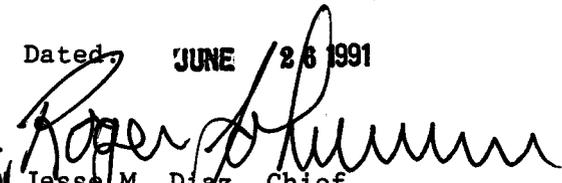
Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to 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 permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee 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 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.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee 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, JUNE 28 1991

  
Jesse M. Diaz, Chief  
Division of Water Quality  
and Water Rights

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

**ORDER**

APPLICATION 10990

PERMIT 6960

LICENSE \_\_\_\_\_

ORDER CORRECTING PERMIT 6960

WHEREAS:

1. Certain terms contained in an order issued March 14, 1979, relating to Permit 6960 have been found to require corrections.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 4 on page 1 of the order be corrected to read as follows:

An agreement for adjustment and settlement of water rights between permittee City of Napa, California Department of Fish and Game, and certain downstream water users, was executed on May 26, 1978. The agreement provides that the permittee will release water from Lake Hennessey into Conn Creek at the base of Conn Dam for redirection by the other claimants, and that it will not be effective until an order of the State Water Resources Control Board approving it is issued.

2. Paragraph 3 on page 3 of the order be corrected to read as follows:

Permission is hereby granted to add to the permitted place of use the place of use described as follows:

18.03 ACRES WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 3,  
T7N, R5W, MDB&M, AS SHOWN ON AMENDED MAP FILED WITH THE  
STATE WATER RESOURCES CONTROL BOARD.

3. Paragraph 7 on page 3 of the order be corrected to read as follows:

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: APRIL 30 1979

  
Michael A. Campos, Chief  
Division of Water Rights

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

ORDER

APPLICATION 10990

PERMIT 6960

LICENSE \_\_\_\_\_

ORDER APPROVING CHANGE IN PURPOSES OF USE,  
ADDITION OF POINTS OF REDIVERSION AND  
PLACE OF USE, AMENDING TERMS OF THE PERMIT,  
AND APPROVING AGREEMENT DATED MAY 26, 1978

WHEREAS:

1. Petitions to change purpose of use, and place of use, and to add points of rediversion have been filed with the State Water Resources Control Board.
2. A hearing was held on January 17, 1978 and it appears that good cause has been shown for said changes.
3. The Board has determined that this petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. An agreement for adjustment and settlement of water right between permittee City of Napa, California Department of Fish and Game, and certain downstream water users was executed on May 26, 1978. The agreement provides that the permittee will release water from Lake Hennessey into Conn Creek at the base of Conn Dam for rediversion by the other claimants, and that it will not be effective until an order of the State Water Resources Control approving it is issued.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Permission is hereby granted to change the purposes of use under said Permit 6960 to the purposes described as follows:  

MUNICIPAL, INDUSTRIAL, DOMESTIC, IRRIGATION, FROST PROTECTION AND HEAT CONTROL
2. Permission is hereby granted to add points of rediversion under the permit as shown on the map filed with the State Water Resources Control Board, said points being described as follows:
  - A<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=293,005 AND E=1,886,705 (WITHIN NE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)
  - A<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=292,160 AND E=1,887,305 (WITHIN SE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)
  - A<sub>3</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=291,325 AND E=1,887,920 (WITHIN SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 11, T7N, R5W, MDB&M)
  - A<sub>4</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=289,915 AND E=1,888,560 (WITHIN NW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)

B<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=295,800 AND E=1,885,225  
 (WITHIN NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 B<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=295,210 AND E=1,885,590  
 (WITHIN NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 C<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=293,190 AND E=1,886,640  
 (WITHIN NE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 C<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=293,075 AND E=1,886,680  
 (WITHIN NE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 D<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=296,420 AND E=1,884,695  
 (WITHIN SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 D<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=296,075 AND E=1,885,040  
 (WITHIN NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 F<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=296,420 AND E=1,884,695  
 (WITHIN SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 F<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=296,075 AND E=1,885,040  
 (WITHIN NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 G BY CALIFORNIA COORDINATES, ZONE 2, N=298,095 AND E=1,884,655  
 (WITHIN NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 H<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=295,035 AND E=1,886,080  
 (WITHIN SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 H<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=294,755 AND E=1,886,390  
 (WITHIN SE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 I BY CALIFORNIA COORDINATES, ZONE 2, N=298,380 AND E=1,884,415  
 (WITHIN NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 J<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=299,410 AND E=1,884,975  
 (WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 J<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=299,310 AND E=1,884,510  
 (WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 K<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=295,005 AND E=1,886,135  
 (WITHIN SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 K<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=294,710 AND E=1,886,450  
 (WITHIN SE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF PROJECTED SECTION 10, T7N, R5W, MDB&M)  
 L<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=299,310 AND E=1,884,510  
 (WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 L<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=298,820 AND E=1,884,160  
 (WITHIN NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 M<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=297,515 AND E=1,884,665  
 (WITHIN SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 M<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=297,180 AND E=1,884,710  
 (WITHIN SE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M)  
 O<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=289,180 AND E=1,888,970  
 (WITHIN SW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)  
 O<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=289,020 AND E=1,889,055  
 (WITHIN SW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)  
 P<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=289,500 AND E=1,888,760  
 (WITHIN SW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)  
 P<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=289,230 AND E=1,888,925  
 (WITHIN SW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)  
 Q BY CALIFORNIA COORDINATES, ZONE 2, N=290,275 AND E=1,888,395  
 (WITHIN NW $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 14, T7N, R5W, MDB&M)  
 R<sub>1</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=291,270 AND E=1,887,955  
 (WITHIN SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 11, T7N, R5W, MDB&M)  
 R<sub>2</sub> BY CALIFORNIA COORDINATES, ZONE 2, N=291,030 AND E=1,888,060  
 (WITHIN SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF PROJECTED SECTION 11, T7N, R5W, MDB&M)

3. Permission is hereby granted to add the place of use to the permitted place of use described as follows:

18.03 ACRES WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 3, T7N, R5W, MDB&M AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

4. Paragraph 8 of the permit be amended to read as follows:

This permit is subject to that "Agreement for Adjustment and Settlement of Water Rights" dated May 26, 1978, among the permittee City of Napa, the California Department of Fish and Game and certain other claimants of water rights to Conn Creek identified therein, and filed in the office of the State Water Resources Control Board (0000300) on May 26, 1978.

5. The Board reserves jurisdiction to amend, revise, supplement or delete permit terms and conditions to conform to the terms of any future water distribution agreement for the Conn Creek watershed to which permittee and other signatories to the May 26, 1978 agreement are parties. (0000300)

6. Paragraph 9 be added to the permit 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) 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. (0000012)

7. Paragraph 10 be added to the permit as follows:

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 this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste dischargers 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.

(0000013)

8. Paragraph 11 be added to the permit as follows:

The State Water Resources Control Board reserves jurisdiction over this permit to impose any appropriate conditions at some future date to conform the permit to Board policy on use of water for frost protection. Action by the Board will be taken only after notice to interested parties and opportunity for hearing.

(0000300)

9. Paragraph 12 be added to the permit as follows:

Permittee shall report, with the annual "Report by Permittee", the amounts of water diverted at each point of diversion.

Dated: MARCH 14 1979



Michael A. Campos, Chief  
Division of Water Rights

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

1945 MAR 1 AM 9 21

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

Application No. 10990 Filed March 1, 1945 at 9:21 A. M.  
(Applicant must not fill in the above blanks)

**APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER**  
This application involves in no way the right to construct a dam

I, CITY OF NAPA  
Name of applicant  
of Napa County of Napa  
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 Conn Creek  
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed  
located in Napa County, tributary to Napa 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 35 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 November 1 to May 31 of each season.  
Beginning date each season Closing date each season

(b) For diversion to be stored temporarily and later applied to beneficial use 30,500 acre-feet  
1 acre-foot equals 325,851 gallons  
per annum, to be collected between November 1 and June 30 of each season.  
Beginning date each season Closing date each season

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, Municipal, Industrial and Domestic  
Domestic, irrigation, power, municipal, mining, industrial, recreational purposes.

4. The point of diversion is to be located at a point located S. 54 degrees 49 minutes W. 790 feet to the S.W. corner of Section 1  
State bearing and distance or coordinate distances to section or quarter section corner

being within the Southwest quarter of the Southwest quarter  
State 40-acre subdivision of U. S. Government survey or projection thereof  
of Section 1, Tp. 7 N., R. 5 W., M.D.B. & M., in the County of Napa

5. The main conduit terminates in \_\_\_\_\_, of Sec. \_\_\_\_\_, Tp. \_\_\_\_\_, R. \_\_\_\_\_, \_\_\_\_\_ M.  
State 40-acre subdivision of U. S. Government survey or projection thereof

**Description of Diversion Works**

NOTE.—An application can not 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 95 feet in height (stream bed to level of overflow); 750 feet long on top; and constructed of Earth roll fill  
Concrete, earth, brush, etc.

(c) The storage dam will be 95 feet in height (stream bed to overflow level); 750 feet long on top; have a freeboard of 15 feet, and be constructed of Earth roll fill  
Concrete, earth, etc.

7. Storage Reservoir Conn Valley  
Name

The storage reservoir will flood lands in Townships 7 and 8 N., R. 4 and 5 W.  
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 770 acres, and a capacity of 33,000 acre-feet.

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

See pages 10 & 11 of transcript. SSW 1/16/47

315  
330  
91

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 \_\_\_\_\_

Initial

Earth, rock, timber, etc.

(b)

Pipe line: Diameter 12 to 30 inches; length 216,000 feet; grade variable feet per

1,000 feet; total fall from intake to outlet \_\_\_\_\_ feet; kind \_\_\_\_\_

welded steel

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 \_\_\_\_\_

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 \_\_\_\_\_

Construction work will be completed on or before \_\_\_\_\_

The water will be completely applied to the proposed use on or before \_\_\_\_\_

Description of Proposed Use

11. Place of Use. Lying within the Napa Valley, extending from St. \_\_\_\_\_

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

Helena to Vallejo as shown on map filed with the State Engineer.

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

Yes or No

Will render service to individual owners by agreement \_\_\_\_\_

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: for individuals, cities, and

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

towns and possibly state and federal institutions

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

The amount for which application is made was determined by estimating future requirements

Describe basis of quantity needed

13. Irrigation Use. The area to be irrigated is possibly 6,000

acres. State net acreage to be irrigated \_\_\_\_\_

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

orchard 1500 \_\_\_\_\_ acres; general crops \_\_\_\_\_ 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 April 1

Beginning date each season

and end about November 1

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 from wells and Milliken Creek project

14. Power Use. The total fall to be utilized is \_\_\_\_\_ feet.

Distance between nozzle of draft tube water level and first free water surface above \_\_\_\_\_

The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second.

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

Second feet  $\times$  fall  $\div$  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 \_\_\_\_\_ be returned to \_\_\_\_\_

will not

Name stream \_\_\_\_\_

\_\_\_\_\_

State 40-acre subdivision \_\_\_\_\_

of \_\_\_\_\_

Sec. \_\_\_\_\_

Tp. \_\_\_\_\_

R. \_\_\_\_\_

M. \_\_\_\_\_

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. Municipal Use. This application is made for the purpose of serving Cities and towns  
Name city or cities, town or towns. Urban areas only  
in Napa Valley 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 placer, 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 be polluted by chemicals or otherwise \_\_\_\_\_  
will not Explain nature of pollution, if any  
and it will be returned to \_\_\_\_\_ in \_\_\_\_\_ of  
will not Name stream State 40-acre subdivision  
Sec. \_\_\_\_\_, Tp. \_\_\_\_\_, R. \_\_\_\_\_, M. \_\_\_\_\_

17. Industrial Use. The nature of the use proposed is Possible supply to industries  
Describe nature and method of use  
which may locate in the service area

The amount for which application is made was determined by yield of the watershed  
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 Yes or No. If not, state specifically the time required for filing same \_\_\_\_\_

20. Does the applicant own the land at the proposed point of diversion? Yes Yes or No. 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?  
St. Helena, Oakville, Yountville, Napa, Rutherford

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? not known

CITY OF NAPA

[SIGNATURE OF APPLICANT] Chas. F. Moffitt  
Mayor

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 6960

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:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed thirty five (35) cubic feet per second by direct diversion from about November 1, to about May 1, of each season and thirty thousand five hundred (30,500) acre feet per annum by storage to be collected from about November 1, to about May 1, of each season. (000005)

In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with vested rights.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants. (000006)
3. Actual construction work shall begin on or before March 1, 1948 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked. (000007)
4. Said construction work shall be completed on or before December 1, 1950 (000008)
5. Complete application of the water to the proposed use shall be made on or before December 1, 1990 (000009)
6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the State Engineer until license is issued. (000010)

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 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, and to prevent unreasonable interference with vested rights. (000012)

8. This permit is issued expressly subject to the terms of that certain stipulation dated August 18, 1947 and placed on record in the office of the State Engineer on October 23, 1947. (0000500)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit 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 1391. Every permit 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 permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, 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 permit 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 permittee 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, county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Witness my hand and the seal of the

Department of Public Works of the State of California

this 3rd day of December 1947

EDWARD HYATT

State Engineer

By

State Engineer



6960