P7352

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

In the Matter of Permit 7352 (Application 12060)

June Lake Public Utility District

ORDER APPROVING CHANGE IN POINT OF DIVERSION AND PLACE OF USE
AND TIME EXTENSION
AND AMENDING THE PERMIT

SOURCE: Unnamed stream, unnamed springs and Fern Creek, all tributary to Reversed Creek

COUNTY: Mono

WHEREAS:

1. Permit 7352 was issued to D.C. Peterson on April 22, 1949, pursuant to Application 12060.

2. Permit 7352 was subsequently assigned to the June Lake Public Utility District (District).

3. A petition to change the point of diversion and place of use and a petition for extension of time were filed with the State Water Resources Control Board (SWRCB) on July 25, 1990 and August 13, 1990, respectively. The SWRCB has determined that good cause for such change and time extension has been shown. Public notice of the petitions was issued on August 10, 1990, April 9, 1991, and February 10, 1992. Protest issues have been resolved.

4. The SWRCB 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.

5. The permit term relating to the continuing authority of the SWRCB should be updated to conform to section 780(a), title 23 of the California Code of Regulations.

6. The permit term relating to the water quality objectives of the SWRCB should be updated to conform to section 780(b), title 23 of the California Code of Regulations.

7. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.

8. On December 22, 1995, the California Sportfishing Protection Alliance's protest was resolved based on a bypass condition for Fern Creek, which shall be included in this Order.

9. On August 20, 1998, the District filed a Notice of Exemption with the Mono County Clerk finding that the project is categorically exempt under Class 4, Title 14, section 15304 of the California Environmental Quality Act.

NOW, THEREFORE, IT IS ORDERED THAT PERMIT 7352 IS AMENDED TO READ AS FOLLOWS:

1. The permit condition regarding the source be amended to read:

   1) Unnamed stream; 2), 3) two unnamed springs tributary to Reversed Creek thence Mono Lake; and 4) Fern Creek tributary to Reversed Creek thence Rush Creek thence Mono Lake in Mono County. (0000001)

2. The permit condition regarding the points of diversion is amended to read:

   1) South 1,400 feet and East 700 feet from NW corner of Section 22, T2S, R26E, MDB&M, being within SW ¼ of NW ¼ of said section.

   2) South 700 feet and East 75 feet from NW corner of Section 22, being within NW ¼ of NW ¼ of said section. Also described as California Coordinate System, Zone 3, North 463,200, East 2,405,000.

   3) South 3,500 feet and West 2,400 feet from NE corner of Section 21, T2S, R26E, MDB&M, being within NW ¼ of SE ¼ of said section. Also described as California Coordinate System, Zone 3, North 460,800, East 2,402,300.

   4) South 2,500 feet and East 900 feet from NW corner of Section 22, T2S, R26E, MDB&M, being within the SW ¼ of NW ¼ of said Section. Also described as California Coordinate System, Zone 3, North 461,800, East 2,405,600. (0000002)

3. The permit condition regarding the place of use be amended to read:

   The "Down Canyon Water Service Area" is described as follows:
   Within the SE ¼ of SE ¼ of Section 8; within the SW ¼ of SW ¼ of Section 9; within the SE ¼ of Section 15; within the S ½ of SW ¼, the S ½ of SE ¼, and the W ½ of NW ¼ of Section 16; within the E ½ of NE ¼; and the E ½ of SE ¼ of Section 17; within the NE ¼

of NE ¼ of Section 20; within the N ½ of Section 21; within the N ½ of NW ¼, and the N ½ of NE ¼ of Section 22: all within T2S, R 26 E, MDB&M (as shown on a map on file with the Board). (0000004)

4. A new condition be added to the permit to read as follows:
The June Lake Public Utilities District (District) shall maintain a permanent piped bypass around the Fern Creek source sized such that a minimum of 200 gallons per minute will always flow by the diversion regardless of water use by the District, and configured such that it cannot be restricted or plugged. (0050400)
(0350400)

5. The time to complete full beneficial use is extended to December 1, 2010. (0000009)

6. The continuing authority condition shall 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 SWRCB 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 SWRCB 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 requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB 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 SWRCB 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 SWRCB 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)

7. The water quality objectives condition shall be added to the permit:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the SWRCB if, after notice to the permittee and an opportunity for hearing, the SWRCB 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 SWRCB 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.

(0000013)

8. Permit 7352 is amended to include the following Endangered Species condition:

This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

(0000014)

DEC 2 2 2000

Harry M. Schueller, Chief
Division of Water Rights

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12060 PERMIT 7352 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE 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. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 5 of the permit is amended to read as follows:

   COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE December 1, 1990

2. Paragraph 7 of this permit is deleted. A new Paragraph 7 is added as follows:

   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.

Dated: AUGUST 9 1985

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET

SACRAMENTO, CALIFORNIA 95818

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 7352 APPLICATION 12060

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.

3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

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, 1980

DATED: FEBRUARY 8 1977

R. L. Rosenberger

R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING PERMIT

PERMIT 7352 APPLICATION 12060

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.

3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE BE, AND IS HEREBY, APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1974

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1974

2. THE TOTAL ANNUAL DIVERSION AND USE ALLOWED UNDER SAID PERMIT 7352 BE LIMITED TO 55 ACRE-FEET.

3. PARAGRAPH 7 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: 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.

4. 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:

MAY 10 1974

R. L. Rosenberger

R. L. ROSENBERGER, ACTING CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—THE RESOURCES AGENCY

RONALD REAGAN, Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 12060 PERMIT 7352

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 7352; 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, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

DATED: MAY 22 1968

K. L. Woodward

K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 12060 PERMIT 7352 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 7352; 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, 1967

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD THIS 9 th day of March, 1966

L. K. Hill

L. K. HILL
EXECUTIVE OFFICER

ORDER

APPLICATION 12060 PERMIT 7352 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 7352 , 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, 1964 , 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 24th day of October, 1963

L. K. Hill

L. K. Hill
Executive Officer

88771 10-56 10M SPO

ORDER

APPLICATION 12060 PERMIT 7352 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 7352 ; 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, 1961**, 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 13th day of January, 1959

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

FORM 100

85771 10-58 10M SPO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

DIVISION OF WATER RESOURCES

STATE ENGINEER

ORDER

APPLICATION 12060 PERMIT 7352 LICENSE

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

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and 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, 1958, within which to complete construction work and 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 29 day of December 1955

HARVEY O. BANKS
ACTING STATE ENGINEER

By
L. C. Jopson
Principal Hydraulic Engineer

C&U
FORM 100

22426 B

[illegible]

[illegible]

[illegible] good cause has been shown whereof we in extension of time should be allowed for the completion of construction work and 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, [illegible], within which to complete construction work and apply the water to complete beneficial use under said application and permit.

[illegible] my hand and the seal of the Department of Public Works of the State of California this [illegible] day of [illegible]

HARVEY [illegible]
[illegible]

By _____
[illegible]
[illegible]

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

ORDER

APPLICATION 12060 PERMIT 7352 LICENSE

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

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under Application 12060, Permit 7352,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1955, within which to complete construction work and 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 12 day of January, 1953.

A. D. Edmonston
State Engineer

FORM 100

36167 11-50 5M SPO

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

RECEIVED 1947 AUG 28 AM 8 59

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

Application No. 12060 Filed August 28, 1947 at 8:59 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, D.C. Petersen (Notice of Assignment (Over)) (Name of applicant)

of 505 Elizabeth St., Pasadena (Post office) County of Los Angeles

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 Unnamed stream #3
(Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed)

located in Mono County, tributary to Reversed Creek and Silver Lake

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 .13 cubic feet per second (1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day), to be diverted from January 1 (Beginning date each season) to December 31 (Closing date each season) of each season.

(*b*) For diversion to be stored temporarily and later applied to beneficial use _____ acre-feet (1 acre-foot equals 325,851 gallons) per annum, to be collected between _____ (Beginning date each season) and _____ (Closing date each season) of 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 Domestic Use
(Domestic, irrigation, power, municipal, mining, industrial, recreational)

~~For 300 Summer Home sites~~ purposes.

4. **The point of diversion** is to be located 300 Ft. East of the SE corner of the N.W.¼ N.W.¼ Sec 22 ~~T2S R 26E and 700 Ft South to A point in the SE¼ N.W.¼ Sec 22 T2S R 26E~~ and 700 ft. South
(State bearing and distance or coordinate distances to section or quarter section corner)

being within the SE¼ of NW¼
(State 40-acre subdivision of U. S. Government survey or projection thereof)

of Section 22, Tp. 2S, R. 26E, M.D. M., in the County of Mono

5. **The main conduit** terminates in N.W.¼ of N.W.¼ of Sec. 22, Tp. 2-S, R. 26E, M.D.B.&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 4' feet in height (stream bed to level of overflow); 10' feet long on top; and constructed of 2" Redwood (Concrete, earth, brush, etc.)
~~A collecting box will be installed at points (3)~~

(*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** _____ (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.

FORM 1

8. **Conduit System** (describe main conduits only)

(*a*) **Canal, ditch, flume: Width on top (at water line)** _____ feet; width at bottom _____
Cross out two not used

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

of construction _____
Earth, rock, timber, etc.

(*b*) **Pipe line: Diameter** 2" inches; length 1300 feet; grade each 100 feet per

1,000 feet; total fall from intake to outlet 100 feet; kind Steel 2"
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 .13
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $5,000.00
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 September 30, 1947

Construction work will be completed on or before August 1, 1949

The water will be completely applied to the proposed use on or before August 1, 1950

Description of Proposed Use

11. **Place of Use.** N.W.¼ of N.W.¼ of Sec 22, T 2S, R 26E, M.D.B.&M.
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land 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.

See Appl. 11892 10-22-47

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

Applicant will form a public utility & assign filing to the utility
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: 300 summer home sites in
Describe nature of use which may include stock water and the irrigation of domestic

subdivision and small garden at each homesite
gardens not exceeding one-half acre each in area connected with places of residence.

The amount for which application is made was determined by ~~200~~ 280 gallons per day per home
Describe basis of quantity needed

13. **Irrigation Use.** The area to be irrigated is _____ acres.
State net acreage to be irrigated

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

orchard _____ 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 _____ and end about _____
Beginning date each season — Closing date each season

The land to be irrigated has another / no other water right or source of water supply other than that herein applied for. The nature

and amount of the additional supply referred to is _____

14. **Power Use.** The total fall to be utilized is _____ feet.
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 _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × 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 / will not be [illegible] _____ in _____ of
Name stream — State 40-acre subdivision

[illegible] M.

P2352

6-26-82 Name changed to Estate of Daniel C Peterson, Conservatee

6-20-86 Assgd to Ruth Peterson Bing, Thelma Peterson Avery & Yvonne Peterson Ponso

9-21-89 assgd to William Zach ~~County~~ County Water District

8/17/90 assigned to June Lake Public Utilities District

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 7352

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 thirteen hundredths (0.13) cubic foot per second to be diverted from January 1 to December 31 of each year.

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 September 1, 1949 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, 1951

5. Complete application of the water to the proposed use shall be made on or before December 1, 1952

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.

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.

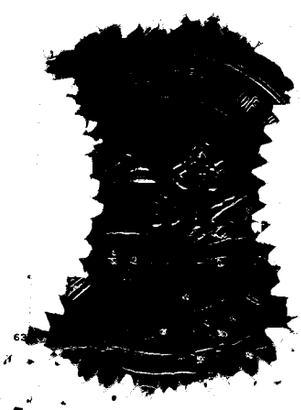
Revised 7352

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, city and 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 22nd *day of* April *19* 49

EDWARD HYATT, *State Engineer*

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 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 / will not be polluted by chemicals or otherwise_____
(Explain nature of pollution, if any)

and it will / will not be returned to_____ (Name stream) in_____ (State 40-acre subdivision) of

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 (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? No (Yes or No). If not, state what steps have been taken to secure right of access thereto Application to Inyo National Forest Service for special use permit

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

June Lake, California

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion?_____

[SIGNATURE OF APPLICANT] D C Peterson

Mail to June Lake