

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

ORDER

APPLICATION 17121

PERMIT 11039

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
CHANGE IN PLACE OF USE AND AMENDING THE PERMIT

WHEREAS:

1. On November 20, 1957, Permit 11039 was issued to the City of Healdsburg pursuant to Application 17121.
2. On June 3, 1992, the City of Healdsburg filed petitions for an extension of time within which to develop the project and make full beneficial use of water, and to change the place of use.
3. On July 17, 1992, the petitions were noticed in compliance with Section 843, Title 23 of the California Code of Regulation. No protests were submitted against the petitions.
4. On July 9, 1998, the State Water Resources Control Board issued a Notice of Exemption in accordance with section 15062 of the California Environmental Quality Act (CEQA) Guidelines.
5. The State Water Resources Control Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
6. The Permittee has proceeded with diligence and good cause has been shown for the extension of time and for the said change.

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 31, 2002 (0000009)

2. The place of use under this permit is amended as follows:

The City of Healdsburg Service Area covering 5,760 acres and located within Sections 8, 9, 14, 15, 16, 17, 20, 21, 22, 23, 27, 28 and 29, T9N, R9W, MDB&M, as shown on map on file with the State Water Resources Control Board.

Dated: **JULY 27 1998**

ORIGINAL SIGNED BY:

Edward C. Anton, Chief
Division of Water Rights

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

ORDER

17121

11039

APPLICATION _____

PERMIT _____

LICENSE _____

ORDER CORRECTING THE PERMIT CONDITION LIMITING THE TOTAL ANNUAL AMOUNT OF PERMITS 7847 AND 11039 AND AMENDING THE PERMIT

WHEREAS:

1. Permit 11039 was issued to the City of Healdsburg on April 17, 1950 pursuant to Application 17121.
2. Permittee requested that the permit term pertaining to the maximum annual amount of use which was added to the permits on September 28, 1970 under this permit and Permit 11039 (Application 13217) be reviewed.
3. Review of the maximum annual use calculations found that the combined Maximum Annual Amount under the two permits should be increased from 2,840 acre-feet to 3,250 acre-feet.
4. Permit Condition 8 pertaining to the continuing authority of the Board should be updated to conform to standard Permit Term 12 as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The permit condition pertaining to the total annual amount be amended to read:

The total annual diversion allowed under Permits 7847 and 11039 shall be limited to 3,250 acre-feet.

(0000005)

2. Condition 8 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: JULY 29 1988

BY LLOYD D. JOHNSON

for Walter G. Pettit, Chief
Division of Water Rights

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

Lonoma

ORDER

APPLICATION 17121

PERMIT 11039

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
CHANGE IN PLACE OF USE 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 and a petition to change the place of 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 and for the said change.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. 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, 1992

2. The place of use under this Permit is amended as follows:

City of Headlsburg Service Area covering 4,800 acres and located within Sections 8, 9, 15, 16, 17, 20, 21, 22, 27, 28 and 29, T9N, R9W, MDB&M as shown on map on file with the State Water Resources Control Board.

3. Paragraph 8 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privilege 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.

COPY FOR FIELD ENGINEER

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.

4. Paragraph 9 is added to this 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 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.

5. Paragraph 10 is added to this permit as follows:

The State Water Resources Control Board, under its authority to conserve the public interest, retains continuing authority over this permit to require permittee to develop and implement a water conservation program, after notice and opportunity for hearing. The requirements for this term may be satisfied by permittee's compliance with any comprehensive water conservation program, approved by the State Water Resources Control Board, which may be imposed by a public agency.

Dated: AUGUST 17 1982

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

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
ESTABLISHING AN ANNUAL ACRE-FOOT LIMITATION

PERMIT 11039

APPLICATION 17121

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 11039; AND THAT THE TOTAL ANNUAL DIVERSION UNDER PERMITS 7847, 8594 AND 11039 BE LIMITED TO 2,840 ACRE-FEET; 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:

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

DECEMBER 1, 1980

IT IS FURTHER ORDERED THAT THE TOTAL ANNUAL DIVERSION ALLOWED UNDER PERMITS 7847, 8594 AND 11039 BE AND THE SAME IS HEREBY LIMITED TO 2,840 ACRE-FEET.

DATED: SEP 28 1970

K. L. Woodward

K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17201

PERMIT 11059

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 11059, 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 20th day of February, 1962

L. K. Hill

L. K. Hill
Executive Officer

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17121

PERMIT 11039

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 11039; 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

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD
THIS 23rd day of December, 1965

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER

COPY FOR FIELD ENGINEER

Gauntlett

FILE IN DUPLICATE

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

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 17182 Filed June 8, 1956 at 8:09 A. M.

(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, City of Healdsburg, Name of applicant City Hall, Healdsburg, County of Sonoma, State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Russian River (underflow) located in Sonoma County, tributary to Pacific Ocean

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 4 cubic feet per second, to be diverted from January 1 to December 31 of each year.

(b) For diversion to be stored and later applied to beneficial use acre-feet per annum, to be collected between and of each season.

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

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

4. The point of diversion is to be located south 825 feet, west 500 feet from projected Section corner 9, 10, 15, 16, T9N, R9W, M28E.,

being within the projected NE1/4 of NE1/4 of Section 16, T. 9N, R. 9W, M. D. B. & M., in the County of Sonoma

5. The main conduit terminates in projected NE1/4 of Sec. 16, T. 9N, R. 9W, M. D. B. & M. State 40-acre subdivision of U. S. Government survey of projection thereof

Description of Diversion Works

NOTE.—An application cannot 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 from 16" wells at 1000 gallons per minute each Sump, offset well, unobstructed channel, etc. (b) Diversion will be by gravity, the diverting dam being feet in height (stream bed to level of overflow); feet long on top; and constructed of 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 City Reservoir No. 4, Earth excavation and granite Name none

The storage reservoir will flood lands in 90'-100' acres, and a capacity of 2 acre-feet.

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.

(b) Pipe line: Diameter 12 inches; length 1400 feet; grade 235 feet per 1,000 feet; total fall from intake to outlet 330 feet; kind Cast Iron Pipe

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 conduit or pumping plant proposed is 1-1000 gallons per minute pump 10 1-1000 gallons per minute pump 1

The estimated cost of the diversion works proposed is \$60,000.00

Completion Schedule

10. Construction work will begin on or before July 1, 1956

Construction work will be completed on or before October 1, 1956

The water will be completely applied to the proposed use on or before October 1, 1956

Description of Proposed Use

11. Place of Use. City of Healdsburg, projected Sections 15, 16, 20, 21, 22, T9N, R9W, State 40-acre subdivisions of the public land survey.

Do(es) applicant(s) own the land whereon use of water will be made? No. Jointly? No.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Table with 5 columns: Nature of Right, Year of First Use, Use made in recent years, Season of Use, Source of Other Supply. Row 1: None.

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is ... acres.

The segregation of acreage as to crops is as follows: Rice ... acres; alfalfa ... acres; orchard ... acres; general crops ... acres; pasture ... acres.

The irrigation season will begin about ... and end about ...

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

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.

The use to which the power is to be applied is ...

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

The size of the nozzle to be used is ... inches.

The water will be returned to ... in ... of ...

PERMIT No. 11059

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board 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 **four (4) cubic feet per second to be diverted from January 1 to December 1 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 **June 1, 1958,** 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, 1960.**
5. Complete application of the water to the proposed use shall be made on or before **December 1, 1961.**
6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board 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 State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

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).

Dated: **NOV 20 1957**

STATE WATER RIGHTS BOARD

By: *Leslie C. Jopson*
Leslie C. Jopson
Chief Engineer