STATE OF CALIFORNIA
.STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310 Issued pursuant to Applications 11331 and 11332; the United States Bureau of Reclamation; Permittee	Order:	WR 94-5
	Source:	Santa Ynez River
	County:	Santa Barbara

ORDER CONTINUING RESERVED JURISDICTION
AND ISSUING AMENDED PERMITS

FINDINGS BY THE BOARD:

1. Order paragraph 13 of Decision D-886, adopted February 28, 1958, reserved jurisdiction over Permits 11308 and 11310 issued pursuant to Applications 11331 and 11332. Jurisdiction was reserved for 15 years or for such further time prior to issuance of license as the Board might determine upon notice and hearing to be reasonably necessary to determine the amounts, timing, and rates of release of water past Bradbury Dam (Cachuma Reservoir) required to satisfy downstream rights.

2. Following a Board hearing on January 26, 1973, Board Order WR 73-9 (February 15, 1973) continued the reserved jurisdiction in D-886 over Permits 11308 and 11310 from February 28, 1973 until further order by the Board, such further order to be made not later than October 1, 1973.

3. Board Order WR 73-37 (July 5, 1973) amended Conditions 5, 6, and 7 of the permits. Amended Condition 7 of the permits provided for extending the initial 15-year trial period for refining Cachuma Reservoir operating procedures for an additional 15 years to July 5, 1988.

4. Board Order WR 78-10 (July 5, 1978) amended Condition 5.(1.4) of Permits 11308 and 11310 (as amended by Order WR 73-37), to change the method of measurement of water released from Cachuma Reservoir to satisfy downstream rights.

5. Board Order WR 88-2 (January 21, 1988) extended the date for hearing under Permit Condition 7 until July 1, 1989, and continued the Board's reserved jurisdiction for further order pursuant to Permit Condition 7 until December 31, 1989.

6. Board Order WR 89-18 (September 21, 1989):

   (a) Under Permit Condition 7, extended the date for hearing until July 1, 1994 and extended the reserved jurisdiction until December 31, 1994;

(b) amended condition 6(m) of the permits to extend and modify the riparian vegetation monitoring program in and along the margins of the Santa Ynez River below Bradbury Dam for at least an additional five years; and

(c) directed staff to promptly prepare for and schedule a hearing on the California Sportfishing Protection Alliance (CSPA) complaint as soon as the Board's calendar allowed.

7. A consolidated hearing to consider all outstanding actions within the Santa Ynez River watershed was commenced in July 1990. This hearing was recessed at the end of August 1990 to allow the parties to work together to resolve some of the technical concerns outside of the hearing process.

8. On December 20, 1990, Chairman W. Don Maughan wrote to the parties to explain that before the Board could act on the pending actions:

(a) a cumulative environmental impact report must be prepared;

(b) a determination of the availability of unappropriated water must be made; and

(c) potential mitigation measures for the remnant steelhead fishery and for rare and endangered species and related habitats must be evaluated.

9. Sufficient information to complete the work identified in the December 20, 1990 letter is not available.

10. In 1993, some of the parties entered into two Memoranda of Understanding (MOU) for cooperation in research related to the protection of fish and fish habitat for the portion of the Santa Ynez River below Bradbury Dam. A report regarding this work has been prepared by the Technical Advisory Committee under the MOU's.

11. In 1994, a new Memorandum of Understanding (1994 MOU) was executed which acknowledges that three to five years may be needed to complete data collection and studies for presentation of information on fish and fish habitat for the portion of the Santa Ynez River below Bradbury Dam in order to jointly resolve some of the outstanding issues before the Board. As of the date of this Order, the parties to the 1994 MOU are the California Department of Fish and Game, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Cachuma Conservation Release Board (the members of which are Carpinteria County Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, and Summerland County Water District), Santa Ynez River Water Conservation District - Improvement District No. 1, Santa Ynez River Water Conservation District, Santa Barbara County Water Agency, and the City of Lompoc.

The 1994 MOU, which will terminate on March 14, 1995, provides for the establishment of a Fish Reserve Account, consisting of an amount of water equivalent to the amount of water stored in the Cachuma Project above elevation 750 feet and any water captured by virtue of any modifications made to the flashboards of Bradbury Dam. Water in the Fish Reserve Account is to be used for the maintenance of fish below Bradbury Dam and to carry out necessary studies provided for in the study plan developed, all as provided in the 1994 MOU. In the event the Fish Reserve Account is insufficient for purposes of the 1994 MOU, the Bureau of Reclamation may make releases, as provided in the 1994 MOU, from the minimum pool of the Cachuma Project, up to an amount that shall not exceed 2,000 acre feet per year without further consultation with the parties to the 1994 MOU (as listed above).

12. The Bureau of Reclamation, the Cachuma Project Authority (CPA) (the members of which are Carpinteria County Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, Summerland County Water District, and Santa Ynez River Water Conservation District - Improvement District No. 1) (Cachuma Member Units), and the Santa Barbara County Water Agency also have begun work on an Environmental Impact Statement/Environmental Impact Report under NEPA\CEQA for renewal of Cachuma contracts which includes an analysis of the cumulative impacts of the Cachuma Project and measures to offset any impacts on downstream rights and public trust resources. However, this document is not intended to provide sufficient information to completely address all of the tasks identified in the December 20, 1990 letter.

13. The Bureau of Reclamation has requested that the Board's reserved jurisdiction be extended for an additional three years to allow additional hydrologic data to be collected. The City of Santa Barbara, the Cachuma Conservation Release Board, and the Santa Ynez River Water Conservation District - Improvement District #1 have concurred with this request. The Santa Ynez River Water Conservation District has written that it will not object to the extension. The Department of Fish and Game has indicated they would be agreeable to an extension as long as fishery studies are continued. Legal counsel for the City of Lompoc has submitted a letter opposing an extension unless the Bureau of Reclamation agrees to delay the contract renewal process for the Cachuma Project until the reserved jurisdiction matter has been resolved. The CSPA has objected to any postponement and has requested that the Board require immediate releases of water from Bradbury Dam to protect public trust resources. Legal counsel for the Santa Barbara Urban Creeks Council (UCC) has indicated that an extension of the Board's reserved jurisdiction to allow collection of additional data on impacts of the Cachuma Project on downstream water rights and public trust resources is acceptable provided that adequate interim protection for public trust resources are instituted. The UCC believes that all existing and contemplated studies and measures, including the 1994 MOU are inadequate.

14. The Bureau of Reclamation has agreed to include language in any Cachuma Project renewal contract that expressly provides that (i) the maximum quantity of Project water to be made available to the contractor (the Cachuma Member Units) is conditioned on the existing and future terms and conditions of the underlying Cachuma Project water rights permits, and (ii) additional studies requested by Board Staff relating to the impacts of the Cachuma Project will be conducted within the timelines provided in Order paragraph 3 hereof if either Permittee and the Cachuma Member Units have agreed to conduct such studies or such studies have been ordered by the Board to be conducted. The Bureau of Reclamation has stated it's intent to provide a letter to document this agreement by December 1, 1994. In addition, Permittee and the Cachuma Member Units have agreed to provide a quantity of water for downstream releases for fishery purposes as required in Order paragraph 5 hereof.

15. The Cachuma Project Authority and the City of Lompoc have agreed, by a contract dated September 30, 1993, and subsequently extended, "*to negotiate in good faith toward an agreement which addresses and resolves the City's water quantity and water quality concerns associated with the Cachuma Project's impacts, if any, on the Santa Ynez River, in the context of the overall water supply needs of the City and the CPA members.*" Subsequently, the board of directors of CPA elected to discharge CPA's obligations under the contract by and through the Cachuma Members units. As provided in the contract, technical and policy committees have been established, through which the parties continue to negotiate.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The reservation of jurisdiction in Condition 7 of the subject permits, as amended by Orders WR 73-9, WR 73-37, WR 88-2 and WR 89-18, is continued until such time as long-term permit conditions are set to protect downstream water right holders.

2. The hearing required by Condition 7 shall be commenced no later than December 1, 2000. The scope of the hearing shall include consideration of requirements to carry out Condition 4 of both permits, which addresses the continuing authority of the Board, as amended by Order WR 89-18. The Board may order said hearing to commence at an earlier date:

   (i) upon a request by Permittee on the ground that all studies and other work required by paragraph 3 of this Order have been completed,

   (ii) upon a Board determination that all studies and other work required by paragraph 3 of this Order have not been undertaken promptly, pursued with due diligence or completed in a timely fashion, in which event the hearing shall be conducted upon whatever evidence then exists and the Board shall not be required to grant any additional time extensions to complete studies or gather data; or

(iii) upon a determination by the Board that an earlier hearing is required for other reasons.

3. Not later than February 1, 2000, Permittee shall submit to the Board staff:

(a) the final contract renewal EIS/EIR as identified in Finding No. 12;

(b) the reports or data compilations resulting from the MOU's, including any extensions thereof, as identified in Findings No. 10 and 11 hereof;

(c) a report on the riparian vegetation monitoring program in and along the margins of the Santa Ynez River below Bradbury Dam required by amended condition 6(m) of the subject permits as set forth in Finding No. 6(b) hereof;

(d) information developed and conclusions reached, if any, during the negotiations among the Cachuma Member Units and the City of Lompoc according to the process described in Finding No. 15 hereof;

(e) a study report, or compilation of other existing materials, which clearly describes the impacts, or lack thereof, of the Cachuma Project on downstream diverters as compared to conditions which would have existed in the absence of the Cachuma Project; and

(f) any reports or any other study(s) requested by the Board staff and agreed to by the Permittee and the Members Units or ordered by the Board.

Permittee shall submit to the Chief of the Division of Water Rights (Division Chief) by March 31, 1995 an approximate schedule of development for items (a) through (e) above. Permittee shall also submit written reports to the Division Chief regarding the progress of all studies and/or work underway every six (6) months beginning July 1, 1995.

4. Not later than March 1, 2000, the Division Chief shall determine what, if any, additional environmental documentation is required for Board compliance, as lead agency, with the California Environmental Quality Act (CEQA) in connection with the Board's determination if any modification of the subject permits shall be necessary and appropriate to provide for down stream water rights and public trust resources affected by the project. Any such additional environmental documentation shall be prepared by the Permittee and a draft shall be submitted to the Division Chief not later than July 31, 2000. The nature and scope of the draft environmental documentation shall be as agreed to by the Division Chief and Permittee or as ordered by the Board. Board staff shall hold at least one public meeting by March 31, 1995 to assist in determining the proper scope of any additional reports or studies as provided in paragraph 2(f) above and any additional CEQA documentation as required by this paragraph.

5. Commencing January 1, 1995 and continuing until further order of the Board following the hearing required by paragraph 2 of this Order, in order to maintain fish existing below Bradbury Dam and to accommodate the studies required by paragraph 3 of this Order;

(a) Permittee shall make releases from the Cachuma Project according to the terms of the 1994 MOU referenced in Finding No. 11 hereof, including any extension or modification thereof.

(b) If the 1994 MOU is not extended or modified, Permittee shall continue to make releases from the Cachuma Project to maintain fish and to accommodate fishery studies in a manner and in quantities consistent with those releases provided for in the 1994 MOU, or the then most recent extension or modification thereof. Those releases shall be made by Permittee after consultation with the Department of Fish and Game, the U.S. Fish and Wildlife Service, the Cachuma Members Units, the Santa Ynez River Water Conservation District, the City of Lompoc, and the Division Chief. Any modifications of the MOU affecting provisions of this Order shall become effective only upon a 30-day review by the Division Chief provided the Division Chief does not object to the modifications.

(c) The Board may commence the hearing required by paragraph 2 hereof if it receives a justifiable complaint from any interested party concerning releases made by Permittee pursuant to subparagraph 5(b).

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(d) Permittee's obligation to continue releases pursuant to subparagraph 5(b) shall cease six months after the date when a complaint is filed with the Board pursuant to subparagraph 5(c) unless (i) the Board, after a hearing on the issue whether releases should continue pending the Board's consideration of and decision on the complaint, and based on the entire record of that hearing, determines that releases in the manner and in quantities provided in subparagraph 5(b) should continue, or (ii) the Cachuma Member Units have agreed to such continuation.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of any order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 17, 1994.

AYE: John Caffrey
James M. Stubchaer
Marc Del Piero
Mary Jane Forster
John W. Brown

Maureen Marché
Administrative Assistant to the Board

P1310

2-6-80 Name Chgd to U.S. Water & Power Resources Service

P11310

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310 Issued pursuant to Applications 11331 and 11332; The United States Bureau of Reclamation, Permittee	Order: WR 89-18 Source: Santa Ynez River County: Santa Barbara

ORDER CONTINUING RESERVED JURISDICTION
AND ISSUING AMENDED PERMITS

FINDINGS BY THE BOARD:

1. Order paragraph 13 of Decision D 886, adopted on February 28, 1958, reserved jurisdiction over Permits 11308 and 11310 issued pursuant to Applications 11331 and 11332. Jurisdiction was reserved for 15 years or for such further time prior to issuance of license as the Board might determine upon notice and hearing to be reasonably necessary to determine the amounts, timing, and rates of release of water past Bradbury Dam (Cachuma Reservoir) required to satisfy downstream rights.

2. Following a Board hearing on January 26, 1973, Board Order WR 73-9 (February 15, 1973) continued the reserved jurisdiction in D 886 over Permits 11308 and 11310 from February 28, 1973 until further order by the Board, such further order to be made not later than October 1, 1973.

3. Board Order WR 73-37 (July 5, 1973) amended Conditions 5, 6, and 7 of the permits. Amended Condition 7 of the permits provides for extending the initial 15-year trial period for refining Cachuma Reservoir operating procedures for an additional 15 years, thus extending the reservation of jurisdiction to July 5, 1988.

4. Board Order WR 78-10 (July 5, 1978) amended Condition 5.(1.4) of Permits 11308 and 11310 (as amended by Order WR 73-37), to change the method of measurement of water released from Cachuma Reservoir to satisfy downstream rights.

5. Board Order WR 88-2 (January 21, 1988) extended the date for hearing under Permit Condition 7 until July 1, 1989, and continued the Board's reserved jurisdiction for further order pursuant to Permit Condition 7 until December 31, 1989.

6. Permittee, Santa Ynez River Water Conservation District (District), whose boundaries include areas downstream of Cachuma Reservoir, the Cachuma Conservation Release Board, and the City of Lompoc, have jointly reviewed operating procedures for Cachuma Reservoir to determine if the permit terms, as amended by Board Orders WR 73-37 and 78-10, have actually resulted in the required releases of water for satisfaction of downstream rights.

7. Following review, analysis, discussion and negotiation with all parties and discussion of alternatives, permittee and the parties are in agreement that the Board should not commence a hearing until parties have had three new observation wells constructed to provide additional data. By letter dated March 13, 1989, permittee petitioned the Board for an additional ten-year trial period and requested that a hearing not be held on the matter until experience under the new trial operating procedure has been gained.

8. The Department of Fish and Game has requested, and the permittee has agreed, to modify and extend the riparian vegetation monitoring program in Condition

13. The Board's continuing authority provisions in the permits should be updated to conform to Section 780(a), of the California Code of Regulations.

14. The Board's approval of the proposed continuance of reserved jurisdiction for final hearing and to make permit changes as identified in Findings 8, 10 and 12 above constitutes only a minor alteration to an ongoing project approved prior to November 23, 1970 and is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) under the statutory exemption of ongoing projects and the categorical exemption for minor changes in the operation of existing facilities, 14 CCR 15261 and 15301 respectively.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The reservation of jurisdiction in Condition 7 of the subject permits, as amended by Order WR 73-37 and WR 88-2, is continued to December 31, 1994.

2. The hearing required by said Condition 7 shall be commenced no later than July 1, 1994.

3. Condition 6(m) in the permits shall be amended to read:

> 6. (m) Permittee and the Department of Fish and Game (DFG) shall develop and undertake a study plan and annual monitoring program to determine the extent and condition of the riparian vegetation in and along the margins of the Santa Ynez River below Bradbury Dam. Timing, methodology, and specific criteria to measure impacts to riparian vegetation will be part of the plan and program. A plan agreed to by the permittee and DFG shall be submitted to the Chief Division of Water Rights within one year of adoption of this order.

6(m) of Order [redacted]-37 to provide for continuing mo[redacted]toring of riparian vegetation in and along the margins of the Santa Ynez River below Bradbury Dam for at least an additional five years.

9. The California Sportfishing Protection Alliance (CSPA) on November 13, 1987 complained against permittee's operation of the project. CSPA alleges that project construction and operation has severely impacted a pre-project run of steelhead trout in the Santa Ynez River and that such action constitutes a misuse of water within the meaning of Article X, Section 2, California Constitution.

10. It is reasonable and in the public interest to allow permittee and the parties, until July 1, 1994, to resolve mutual concerns about the accounting and measurement of water released from Cachuma Reservoir prior to the required Board hearing. Such allowance will require continuing the period of time during which jurisdiction is reserved to adopt such further order. A five-year continuance to analyze the data from the three new wells, negotiate a new agreement between the parties, and for the Board to hold a hearing and adopt such further order is reasonable.

11. It is reasonable and in the public interest that the Board promptly conduct a hearing on the CSPA complaint in order to determine whether concerns relating to the operation of the project are valid and whether permittee's use of water is reasonable.

12. Conditions 5 and 6 of Permits 11308 and 11310 should be amended to show the new accounting, monitoring and operating procedure.

This program shall be in place for five years at which time the permittee and DFG shall report to the Board the feasibility of continuing such a program. An annual written report shall be prepared by permittee and DFG and submitted to the Board. The Board retains jurisdiction to adopt appropriate mitigation measures, in the event adverse impacts are caused to the riparian vegetation by release schedules or procedures contained within this order.

4. Continuing authority Condition 4 in both of the permits 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 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.

5. Amended permits shall be issued including revised Permit Conditions 5, 6 and 7 as proposed by the permittee on March 13, 1989 and agreed to by the downstream users in the basin as modified by the Board and attached to and incorporated herein by reference.

6. Staff is directed to promptly prepare for and schedule a Board hearing on the CSPA complaint as soon as the Board's calendar allows.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 21, 1989.

AYE:	W. Don Maughan Darlene E. Ruiz Edwin H. Finster Eliseo M. Samaniego Danny Walsh
NO:	None
ABSENT:	None
ABSTAIN:	None

Maureen Marche'
Administrative Assistant to the Board

Permittee's March 13, 1989 Submittal
Modified by the Board on September 21, 1989

Proposed Modifications to WR-73-37
Pertaining to Permits 11308 and 11310
(Applications 11331 and 11332)
of the
United States Bureau of Reclamation
for the Cachuma Project, California
as developed by:

United States Bureau of Reclamation
Santa Ynez River Water Conservation District
Cachuma Conservation Release Board
City of Lompoc

5."(1.1) The volume of dewatered storage in the groundwater basins above the Narrows shall be determined at the end of each calendar month. USBR Exhibit 1, dated December 1, 1988, contains, in Attachment A thereto, a list of indicator wells in 23 storage units comprising these basins which shall be used for the determination and, in Attachment B thereto, a compilation of curves dated December 1, 1988 that relate dewatered storage to water level elevations in the indicator wells.

"(1.4) Each month, the inflow to Lake Cachuma stored that month during periods when a live stream did not actually exist in the Santa Ynez River shall be computed. All such stored inflow shall be credited monthly and accumulated in an 'above Narrows' account. At the end of each month, the account shall be reduced, if necessary, so that it does not exceed the actual amount of dewatered storage in the 23 storage units at that time. (A 'live stream', as that term is used herein, shall be deemed to exist in the Santa Ynez River whenever there is a visible stream of water flowing on the surface of the River bed at the San Lucas Bridge [river mile 45.7], at the Mission Bridge near Solvang [river mile 38], at U.S. Highway 101 Bridge near Buellton [river mile 34.31], at the Santa Rosa damsite [river mile 25.3], at Robinson Bridge near Lompoc [river mile 12.9] and the flow measured at the USGS gauge entitled 'Santa Ynez River at Narrows near Lompoc' [Narrows Gauge] meets the criteria for a live stream condition as shown on Attachment H to USBR Exhibit 1, dated December 1, 1988, entitled 'Correlation of Flow at Narrows to Live Stream Conditions Between the Narrows and Floradale Avenue'.) In determining the existence or non-existence of a live stream, water released by permittee from the "above Narrows" account pursuant to paragraph (1.5) of section (1) and from the "below Narrows" account pursuant to paragraph (2.5) of section (2) which is in transit above the Narrows, shall not be considered to be surface flow of the Santa Ynez River.

"(1.10) If it is determined by Santa Ynez that, as a result of the existence of the 10,000 acre foot "operating dewatered storage" provided for in paragraph (1.2) of this section (1), credits have been allocated to the "above Narrows" account based on inflow to Lake Cachuma, which, if released, would have percolated into the basin below the Narrows in the absence of such operating dewatered storage, and this condition has not otherwise been taken into account in allocating credits to the "below-Narrows" account, Santa Ynez may request the release of compensating amounts of "above Narrows" account waters in such a way that it percolates into the "below Narrows" basin. In that event, Santa Ynez shall inform the permittee in advance and the releases shall be deducted from the "above Narrows" account.

"(2.1A) For each computation month when a live stream did not exist at any time in the Santa Ynez River between San Lucas Bridge and the Narrows, the Cachuma inflow shall be either (i) increased by the amount by which the "above Narrows" account at the end of the previous computation month exceeded the "above Narrows" dewatered storage at the end of the computation month, or (ii) decreased by the amount by which such dewatered storage exceeded the previous month's "above Narrows" account. From the result shall be subtracted the computation month's releases and spills, if any. The result shall be the increment to be added to the measured flow at the Narrows to determine the constructive flow at the Narrows for the computation month. If that increment is negative, it shall be treated as zero.

"(2.1.B) For each computation month when a live stream existed at any time in the Santa Ynez River between San Lucas Bridge and the Narrows, the Cachuma inflow shall be decreased by the computation month's releases and spills. The result shall be the increment to be added to the measured flow at the Narrows to determine the constructive flow at the Narrows for the computation month.

"(2.2) A monthly computation shall be made of the amount of impairment of percolation to the Lompoc Basin due to the Cachuma Project. The amount of such percolation during the computation month shall be determined by means of the "Relationship Between Percolation from Santa Ynez River from Narrows through Floradale Avenue and Flow of Santa Ynez River at Narrows" correlation shown in USBR Exhibit 1, Attachment E, dated December 1, 1988, assuming (i) the measured flow at the Narrows and (ii) the constructive flow at the Narrows. The monthly impairment shall be equal to the difference between the two amounts thus determined.

"(2.2.1) For a period of five years, which years shall include a range of surface flow conditions in the Santa Ynez River below the Narrows from high to low, the parties will make additional observations to permit more accurate calculations as to when Curve B, [the lower curve] as depicted on USBR Exhibit 1, Attachment E, dated December 1, 1988 shall be used in lieu of Curve A, [the upper curve] as depicted on said USBR Exhibit 1, Attachment E. During said observation period, Curve A [the upper curve] shall be used at all times. Any party may, after an adequate observation period has ended, seek an amendment of this order to establish the time and circumstances under which Curve B, [the lower curve] shall be used. Upon the effective date of the amendment, the "below narrows" account credits for the five year period immediately preceding the amendment shall be recalculated using Curve B, [the lower curve] whenever appropriate, and adjustments to the "below Narrows" account shall be made. Any reductions in the "below Narrows" account resulting from such adjustments shall be spread equally over the five year period immediately following the effective date of the amendment, or such other period as the parties may agree to at the time.

"(2.3) The amount of percolation impairment shall be credited to the "below Narrows" account. The volume of dewatered storage in the groundwater basin below the Narrows shall be determined at the end of each month. Each month the account shall be reduced, if necessary, so that it does not exceed the actual amount of dewatered storage in the Lompoc Basin at that time. A list of indicator wells showing their "full" elevation in eight storage units in the Lompoc Basin is contained in USBR Exhibit 1, Attachment C, dated December 1, 1988. USBR Exhibit 1, Attachment D, dated December 1, 1988, is a compilation of curves that relate dewatered storage to water level elevations in the indicator wells. Said Attachments C and D shall be used to make the determination required by this paragraph (2.3) of Section (2).

"(2.5) Release of water in the "below Narrows" account shall be requested by Santa Ynez as soon after the credit is computed as is reasonably consistent with the goal of optimizing the percolation of a substantial amount of such water in the Lompoc Basin, and in such requests Santa Ynez shall specify the desired amounts and rates of flow of such releases, subject to the limitation described below. Optimal conditions for such releases include, but are not limited to, periods when a live stream exists at and above the Narrows and releases are being made of "above Narrows" account water. Permittee shall make the reasonably requested releases. The "below Narrows" account shall be reduced by the amount of water so released which reaches the

Narrows, as determined pursuant to subparagraph (2.1.C) of paragraph (2.1) of this section (2). The amount of water so released which does not reach the Narrows shall be deducted from the "above Narrows" account. The "above Narrows" account may have a negative balance as a result of releases of water from the "below Narrows" account. In the event of a spill from Lake Cachuma, any such negative balance shall be adjusted to zero. To the extent a negative balance exists in the "above Narrows" account, all inflow to Lake Cachuma shall be credited to that account. For any month the requests for releases of water in the "below Narrows" account shall not exceed the lesser of (i) the "below Narrows" account at the end of the previous month, or (ii) the algebraic sum of the "below Narrows" account at the end of the previous month plus the "above Narrows" account at the end of the previous month plus 2,000 acre-feet.

"(2.7) As provided in paragraph (1.8) of section (1) above, in the event of a spill from Lake Cachuma, water in the "above Narrows" account shall be deemed to be the first water spilled to the extent dewatered storage is reduced during the month spill occurs. If spills reaching the Narrows are less than the "below Narrows" account credits, additional spill shall be deemed to be water in the "below Narrows" account to the extent dewatered storage below the Narrows is reduced, prorated according to the relationship that spills reaching the Narrows bear to the measured flows at the Narrows during the month spill occurs. Spills reaching the Narrows shall be determined by deducting the decrease in "above Narrows" dewatered storage from the spills measured at the dam. If the spills reaching the Narrows are greater than the "below Narrows" account credits, additional spill shall be deemed to be water in the "below Narrows" account only to the extent dewatered storage below the Narrows is reduced, prorated according to the relationship that the "below Narrows" account credits bear to the measured flows at the Narrows during the month spill occurs.

6. Until further order of the Board, permittee shall make or cause to be made suitable field investigations, measurements, and studies, and shall install and maintain necessary measuring facilities, to determine the amount, timing and rate of releases of water into the natural channel of the Santa Ynez River below Bradbury Dam that are required of permittee in order to fully comply with the provision of Condition No. 5 in this permit, and to accurately measure all flows at the Narrows. Permittee shall provide the necessary measuring devices and shall submit to the Board with the annual progress reports, or at such other times as the Board may require, a report of such investigations, measurements and studies and the results thereof, including but not limited to the following:

"(a) A continuous record of Lake Cachuma water surface elevations.

"(b) A continuous record of precipitation near Bradbury Dam.

"(c) Daily evaporation, wind movement, precipitation, and temperature near Bradbury Dam.

"(d) Daily inflow to Lake Cachuma, including underground flows, by proper computations of tunnel diversions, reservoir releases, spills, and change in storage.

"(e) (Eliminated by Order of September 28, 1961.)

"(f) (Eliminated by Order of September 28, 1961.)

"(g) Continuous records of outflow from Lake Cachuma, including flows through river outlets at Bradbury Dam, inflows and outflows through Tecolote Tunnel, and overflows at Bradbury Dam spillway. Instruments suitable for accurate measurement of small outflows shall be installed.

"(h) Continuing groundwater studies below Bradbury Dam in the Santa Ynez Basin, with monthly observation of representative wells influenced by Santa Ynez River flows at locations shown on USBR Exhibit 1, Attachment G, dated December 1, 1988.

"(i) (Eliminated)

"(j) Semiannual water quality analyses of surface and groundwater downstream from Bradbury Dam at locations as shown on USBR Exhibit 1, Attachment G, dated December 1, 1988.

"(k) (Eliminated)

"(l) (Not used)

"(m) On September 21, 1989, the Board adopted an order modifying Condition 6(m) to read as follows:

Permittee and the Department of Fish and Game (DFG) shall develop and undertake a study plan and annual monitoring program to determine the extent and condition of the riparian vegetation in and along the margins of the Santa Ynez River below Bradbury Dam. Timing, methodology,and specific criteria to measure impacts to riparian vegetation will be part of the plan and program. A plan agreed to by the permittee and DFG shall be submitted to the Chief Division of Water Rights within one year of adoption of this order. This program shall be in place for five years at

which time the permittee and DFG shall report to the Board the feasibility of continuing such a program. An annual written report shall be prepared by permittee and DFG and submitted to the Board. The Board retains jurisdiction to adopt appropriate mitigation measures, in the event adverse impacts are caused to the riparian vegetation by release schedules or procedures contained within this order.

"(n) (Eliminated)

"(o) A record on monthly quantities of dewatered storage downstream from Bradbury Dam and of monthly quantities shown in the "above Narrows" and the "below Narrows" accounts, as described in Condition No. 5 of this permit.

"(p) A record of all daily flows passing the Narrows as provided by the United States Geological Survey.

"Permittee shall make its records of such investigations and measurements available for inspection by the Board and shall allow authorized representatives of the Board, Santa Barbara County Water Agency and member units, the Santa Ynez River Water Conservation District, City of Lompoc, and United States military installation at Vandenberg Air Force Base, reasonable access to its project works and properties for the purpose of gathering information and data.

7. The Board, either upon the request of any party or on its own motion may, and shall, prior to the expiration of a 5-year observation period ending December 31, 1994 hear, review, and make such further and different orders as may be specifically provided for in this order or as may be required concerning proper and adequate releases of water for downstream use, and recharge of groundwater, and concerning the investigations, measurements and studies to be conducted by permittee, until a final determination and order can be made concerning the amounts, timing and rates of releases of water past Bradbury Dam in satisfaction of downstream rights, and the Board retains continuing jurisdiction for such purposes during said 5-year observation period, or for such further time prior to issuance of license as the Board may determine upon notice and hearing to be reasonably necessary for the aforesaid purposes.

All other sections, paragraphs or subparagraphs of the existing order, as previously amended, not specifically amended by this agreement are intended to and shall remain in full force and effect.

P11310
~~A11332~~

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310 Issued pursuant to Applications 11331 and 11332; The United States Bureau of Reclamation, Permittee	Order: WR 88 -2 Source: Santa Ynez River County: Santa Barbara

ORDER CONTINUING RESERVED JURISDICTION
AND AMENDING PERMITS

FINDINGS BY THE BOARD:

1) Order paragraph 13 of Decision D 886, adopted on February 28, 1958, reserved continuing jurisdiction over Permits 11308 and 11310 issued pursuant to Applications 11331 and 11332. Jurisdiction was reserved for 15 years or for such further time prior to issuance of license as the Board might determine upon notice and hearing to be reasonably necessary to determine the amounts, timing, and rates of release of water past Bradbury Dam (Cachuma Reservoir) which must be made in satisfaction of downstream rights.

2) Board Order WR 73-9 (February 15, 1973) continued the jurisdiction in the permits from February 28, 1973 until further order by the Board, such further order to be made not later than October 1, 1973.

3) Board Order WR 73-37 (July 5, 1973) amended Conditions 5, 6, and 7 of the permits. Amended Condition 7 of the permits provides for extending the initial 15-year trial period for refining Cachuma Reservoir operating procedures for an additional 15 years, thus extending the reservation of jurisdiction to July 5, 1988.

4) Permittee and Santa Ynez River Water Conservation District (District), whose boundaries include areas downstream of Cachuma Reservoir, have jointly reviewed operating procedures for Cachuma Reservoir to determine if the permit terms, as amended by Board Order WR 73-37, have actually resulted in the required releases of water for satisfaction of downstream rights.

5) Following discussions of alternatives, Permittee and District are in agreement that the Board should not commence a hearing until at least April or May of 1988. By letter dated November 30, 1987 Permittee petitioned the Boardto extend the 15-year trial period and not hold a hearing on the matter until at least the second quarter of 1988 in order for Permittee and the District to resolve mutual concerns prior to a Board hearing.

6) The California Sportfishing Protection Alliance (Alliance) has complained against Permittee's operation of the project. The Alliance alleges that project construction and operation has severely impacted a pre-project run of steelhead trout in the Santa Ynez River and that such action constitutes a misuse of water within the meaning of Article X, Section 2, California Constitution.

7) It is reasonable and in the public interest to allow Permittee and District until July 1, 1988, to resolve mutual concerns prior to commencement of the required hearing upon which further order of the Board must be based. Such allowance will require continuing the period of time during which jurisdiction is reserved to adopt such further order. A nine-month continuance to analyze the hearing record and to prepare and adopt such further order is reasonable.

8) It is also reasonable and in the public interest that Permittee, prior to hearing, hold discussions with complainant Alliance, and other interested parties, in order to determine whether concerns relating to the subject of the complaint may be resolved.

NOW, THEREFORE, IT IS ORDERED THAT:

1) The reservation of jurisdiction in Condition 7 of the subject permits, as amended by Order WR 73-37, is continued to December 31, 1989.

2) The hearing required by said Condition 7 shall be commenced no later than July 1, 1989.

3) Between the effective date of this order and the commencement of said hearing, Permittee shall hold discussions with the Alliance and other parties interested in the subject matter of the Alliance's complaint, including but not limited to the California Department of Fish and Game, to resolve concerns identified in the complaint.

4) Subject permits shall be amended in accordance with this order.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 21, 1988.

Aye: W. Don Maughan
Eliseo M. Samaniego
Danny Walsh

No: None

Absent: Darlene E. Ruiz
Edwin H. Finster

Abstain: None

Maureen Marche'
Administrative Assistant to the Board

P-11310

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310, Issued on Applications 11331 and 11332, U. S. BUREAU OF RECLAMATION, Permittee	Order: WR 78-10 Source: Santa Ynez River County: Santa Barbara

BY BOARD MEMBER ADAMS:

On February 28, 1958, the former State Water Rights Board adopted Decision 886 approving Applications 11331 and 11332 of the United States Bureau of Reclamation covering the Cachuma Project. The principal features of the project are Bradbury Dam and Lake Cachuma on Santa Ynez River, Tecolote Tunnel to convey water through the Santa Ynez Mountains to the coastal area of Santa Barbara County, and the South Coast Conduit to distribute water to several county water districts and the City of Santa Barbara in the coastal area. The Board in Decision 886 reserved jurisdiction for fifteen years or such further time, prior to issuance of license, as the Board may determine upon notice and hearing to be necessary to determine the streamflow of the Santa Ynez River required for protection of vested rights without resulting in waste to the ocean. This reserved jurisdiction was continued by an Order of February 15, 1973, and by Order No. 73-37 dated July 5, 1973. Order No. 73-37 extended said reserved jurisdiction for fifteen years from the date thereof or such further time, prior to issuance of license, as the Board may determine upon notice and hearing to be reasonably necessary

for the aforesaid purposes. Condition 7 of Order No. 73-37 authorizes the provisions of Condition 5 and 6 of said order to be modified. These conditions established a detailed accounting system for the diversion of water for the Cachuma Project, to enable the project to maximize its yield while ensuring protection of downstream rights. Condition 7 authorizes a modification by a written proposal of permittee concurred with in writing by the Santa Ynez River Water Conservation District and such modification would be effective within 30 days after a copy thereof has been filed with the Board, unless the Board orders to the contrary prior to the expiration of such 30-day period. Permittee requested a change in subdivision (1.4) of Condition 5 of Permits 11308 and 11310 in a letter dated April 17, 1978. The Board noticed a hearing on the matter, among others, on April 18, 1978, and held a hearing on May 9, 1978. The Board finds as follows:

1. The proposed change by permittee is essentially a change in the measuring method used to determine when water must be released from Lake Cachuma to satisfy downstream rights. The proposed change substitutes a rating curve based on groundwater levels in an observation well and the stream flow at an upstream gaging station for a visible stream of water flowing on the surface of the riverbed at "H" Street and 13th Street Bridges, north of Lompoc. No change in the release schedule from Lake Cachuma or in the use of water by virtue of said change in measuring method is contemplated.

2. Among other matters, Application 23960 of the Santa Ynez River Water Conservation District was scheduled for the consolidated hearing of May 9, 1978. Permittee, herein, is a

protestant to the approval of said application. Permittee has agreed to withdraw its protest to Application 23960, if said proposal is approved. Application 23960 is for a permit to divert 40,000 acre-feet of the surface flow of the Santa Ynez River to underground storage from November 1 of each year to June 30 of the succeeding year. Without a change in the method of measurement, the diversion of water under a permit issued on Application 23960 would have interfered with the operation of the Cachuma Project under the existing permit conditions.

3. The proposed change is beneficial because it allows the protests against Application 23960 to be resolved in a manner that protects the rights of all parties. The approval of Application 23960 will allow the additional conservation of water within the Santa Ynez River watershed.

4. Section 15101, Article 8, Chapter 3 of Title 14 of the California Administrative Code exempts certain projects from the requirement of preparing an environmental impact report or negative declaration under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). The approval by the Board of the proposed change constitutes a project as defined in Public Resources Code Section 21065(c).[1/] Section 15101 states in part:

> "Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing."

1/ The Board is unaware of any actions permittee has taken to comply with the National Environmental Policy Act (42 U.S.C. §4321 et seq.). However, there is no legal impediment under state law to the Board's acting on the permittee's request. The actions necessary for permittee to comply with NEPA are its responsibility to determine.

5. Since the proposed change consists only of changing the method of measurement and since no expansion of use of water is contemplated by permittee, the proposed change constitutes a Class 1 exemption as defined in Section 15101.

NOW, THEREFORE, IT IS ORDERED that Condition 5(1.4), (as amended by Order No. 73-37 dated July 5, 1973) of Permits 11308 and 11310 (Applications 11331 and 11332) be amended to read as follows:

> 5.(1.4) Each month, the inflow to Lake Cachuma stored that month during periods when a live stream did not actually exist in the Santa Ynez River shall be computed. All such stored inflow shall be credited monthly and accumulated in an 'above Narrows' account. At the end of each month, the account shall be reduced, if necessary, so that it does not exceed the actual amount of dewatered storage in the 23 storage units at that time. (A 'live stream', as that term is used herein, shall be deemed to exist in the Santa Ynez River whenever there is a visible stream of water flowing on the surface of the river bed at the San Lucas Bridge [river mile 45.7], at the Mission Bridge near Solvang [river mile 38], at U. S. Highway 101 Bridge near Buellton [river mile 34.3], at the Santa Rosa damsite [river mile 25.3], at Robinson Bridge near Lompoc [river mile 12.9], and the flow measured at the USGS gauge entitled 'Santa Ynez River at Narrows near Lompoc' [Narrows Gauge] is equal to or in excess of that quantity shown on SYRWCD Exhibit 1, dated May 9, 1978, entitled 'Flow at Narrows Versus Groundwater Elevation at Well 22 L1', corresponding to the groundwater surface elevation shown thereon for that day.)"

Dated: July 5, 1978

WE CONCUR:

W. W. Adams, Member

John E. Bryson, Chairman

W. Don Maughan, Vice Chairman

B. J. Miller, Member

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310, Issued on Applications 11331 and 11332, U. S. BUREAU OF RECLAMATION Permittee	ORDER NO. WR 73-37 Source: Santa Ynez River County: Santa Barbara

ORDER AMENDING PERMITS

BY BOARD VICE CHAIRMAN ROBIE:

On February 28, 1958 the former State Water Rights Board adopted Decision 886 approving Application 11331 and 11332 of the U. S. Bureau of Reclamation covering the Cachuma Project. The principal features of the project are Bradbury Dam and Lake Cachuma on Santa Ynez River, Tecolote Tunnel to convey water through the Santa Ynez Mountains to the coastal area of Santa Barbara County, and the South Coast Conduit to distribute water to several county water districts and the City of Santa Barbara in the coastal area. The Board found that while there was sufficient unappropriated water to justify issuance of permits, it was necessary to retain jurisdiction to the extent and for such period of time as may be reasonably necessary for the determination

of streamflow of the Santa Ynez River required for protection of vested rights without resulting in waste into the ocean. Accordingly, Condition 13 of Decision 886 reserved jurisdiction for 15 years or for such further time prior to issuance of license as the Board may determine upon notice and hearing to be necessary for said purpose. By order of February 15, 1973, the reserved jurisdiction was continued until further order, to be made not later than October 1, 1973.

Hearing having been held on January 26, 1973 in accordance with the continuing jurisdiction and the permittee, with concurrence of representatives of downstream and project water users, having submitted a proposed new plan for operation of Bradbury Dam and Lake Cachuma, the Board finds as follows:

1. By maintaining groundwater storage space in the aquifers downstream from Bradbury Dam, the proposed plan of operation will result in increased percolation and conservation of inflow to Santa Ynez River downstream from the dam.

2. The effects of the proposed plan on wildlife due to changes in riparian vegetation and on water supplies of downstream users can be determined only through actual operation. Therefore, continuing jurisdiction should be reserved during a trial period of actual operation during which the Board upon the request of any party, or on its own motion, may hear, review and make further order as may be required.

3. During the trial period modification may be required of the procedures and criteria for determining releases from Bradbury Dam necessary to

achieve the objectives of the operating plan. The order should provide for such modifications if proposed by the permittee, and agreed to by Santa Ynez River Water Conservation District and the State Water Resources Control Board.

NOW, THEREFORE, IT IS ORDERED that Condition No. 5, Condition No. 6 (as amended by orders of July 30, 1959, and September 28, 1961), and Condition No. 7 of Permits 11308 and 11310 (Applications 11331 and 11332) be amended to read as follows:

5. Water of the Santa Ynez River shall be stored in and released from Lake Cachuma in such amounts and at such times and rates as (a) will be sufficient, together with inflow from downstream tributary sources, to supply downstream diversions of the surface flow under vested prior rights to the extent water would have been available for such diversions from unregulated flow, (b) will be sufficient, together with inflow from downstream tributary sources, to maintain percolation of water from the stream channel as such percolation would occur from unregulated flow, in order that operation of the project shall not reduce natural recharge of groundwater from the Santa Ynez River, and (c) will enhance percolation of tributary runoff below Bradbury Dam to promote water conservation, more specifically as hereinafter set forth. Because studies and historical operation have shown that percolation rates are different above and below the Lompoc Narrows, the following provisions, to be complied with by permittee, are divided into two categories: (1) above the Narrows; and (2) below the Narrows.

(1) Above the Narrows

An "above Narrows" account shall be established and amounts of water shall be credited to and released from said account as provided below in this section (1).

(1.1) The volume of dewatered storage in the groundwater basins above the Narrows shall be determined at the end of each calendar month. USBR Exhibit 20, dated March 1, 1973, in the hearing on this matter on January 26, 1973 contains, in Attachment A thereto, a list of indicator wells in 23 storage units comprising these basins which shall be used for this determination and, in Attachment B thereto, a compilation of curves dated March 1, 1973 that relate dewatered storage to water level elevations in the indicator wells.

(1.2) The operating dewatered storage (ODS) for the combined 23 storage units shall be 10,000 acre-feet of dewatered storage.

(1.3) All inflow to Lake Cachuma shall be computed on a daily basis and, except as otherwise specifically provided herein, shall be stored in the lake. Such computed Lake Cachuma inflow shall be deemed to be no less than 25 acre-feet per month.

(1.4) Each month, the inflow to Lake Cachuma stored that month during periods when a live stream did not actually exist in the Santa Ynez River shall be computed. All such stored inflow shall be credited monthly and accumulated in an "above Narrows" account. At the end of each month, the account shall be reduced if necessary, so that it does not exceed the actual amount of dewatered storage in the 23 storage units at that time. (A "live stream", as that term is used herein, shall be deemed to exist in

the Santa Ynez River whenever there is a visible stream of water flowing on the surface of the River bed at the San Lucas Bridge, at the Mission Bridge near Solvang, at U. S. Highway 101 Bridge near Buellton, at the Santa Rosa Damsite (river mile 25.3), at Robinson Bridge near Lompoc, and at the "H" Street Bridge north of Lompoc, and also there is a surface flow in the River of not less than one (1) cubic foot of water per second at the 13th Street Bridge north of Lompoc.)

(1.5) If, at any time, the total dewatered storage in the basins above the Narrows exceeds the ODS, releases of water in the "above Narrows" account shall be made at such times, amounts and rates of flow as are requested by the Santa Ynez River Water Conservation District (Santa Ynez), but the amount of such releases shall not exceed (i) the quantity required to raise the water levels to the ODS, or(ii) the quantity accumulated in the "above Narrows" account, whichever is smaller. The amounts so released shall be deducted from the "above Narrows" account.

(1.6) Notwithstanding paragraph (1.5) above, for the benefit of water users upstream from San Lucas Bridge, permittee may release water in any month up to the total computed inflow for the two previous months less previous releases of such two months inflow. Of the total amount so released for such users, only an amount not in excess of the two previous months' increase in the "above Narrows" account shall be deducted from that account.

(1.7) The "above Narrows" account shall not be reduced by Lake Cachuma evaporation.

(1.8) In the event of a spill from Lake Cachuma, water in the "above Narrows" account shall be deemed to be the first water spilled to the extent dewatered storage is reduced during the month spill occurs.

(1.9) The point of delivery of water in the "above Narrows" account shall be at Bradbury Dam.

(2) Below the Narrows

A "below Narrows" account shall be established and amounts of water shall be credited and released from said account as provided below in this section (2).

(2.1) As stated in paragraph (1.3) of section (1) above, all inflow to Lake Cachuma shall be stored in the Lake, except as otherwise specifically provided herein. An approximation of the flow at the Narrows that would have occurred in the absence of the Cachuma Project (hereinafter called "constructive flow") shall be computed monthly as follows (hereinafter, the month for which the computation is made is called the "computation month"):

(2.1.A) For each computation month in which no releases were made from the "below Narrows" account, the Cachuma inflow shall be either (i) increased by the amount by which the "above Narrows" account at the end of the previous computation month exceeded the dewatered storage at the end of the computation month, or (ii) decreased by the amount by which such dewatered storage exceeded the

previous computation month's "above Narrows" account. From the result shall be subtracted the computation month's releases and spills, if any. The result shall be the increment to be added to the measured flow at the Narrows to determine the constructive flow at the Narrows for the computation month. If that increment is negative, it shall be treated as zero.

(2.1.B) For each computation month in which releases were made from the "below Narrows" account, the computation month releases and spills and the measured flow at the Narrows used in the computation as set forth in subparagraph (2.1.A) of this paragraph (2.1) above shall be decreased by the amount of the "below Narrows" account releases which reached the Narrows during the computation month. Such amount shall be determined as described in subparagraph (2.1.C) of this paragraph (2.1), immediately following.

(2.1.C) The amount of the "below Narrows" account releases which reached the Narrows during a computation month shall be determined as follows: The Salsipuedes Creek contribution to flow at the Narrows during the computation month shall be subtracted from the measured flow at the Narrows for that month. If such measured flow at the Narrows minus such Salsipuedes Creek contribution equals or

exceeds the quantity released from the "below Narrows" account that month, it shall be deemed that all of the "below Narrows" release reached the Narrows. If such measured flow at the Narrows minus such Salsipuedes Creek contribution is less than the "below Narrows" release, it shall be deemed that only the difference between such measured flow at the Narrows and such Salsipuedes Creek contribution reached the Narrows.

(2.1.D) Water may be released from Lake Cachuma and be in transit above the Narrows at the end of a month and, as a result, computations made as of that date may not accurately reflect pertinent facts. To compensate for such occurrences, appropriate adjustments shall be made to the calculations required by this order.

(2.2) A monthly computation shall be made of the amount of impairment of percolation to the Lompoc Basin due to the Cachuma Project. The amount of such percolation during the computation month shall be determined by means of the "percolation/flows at Narrows" correlation shown in USBR Exhibit 20, Attachment C, dated March 1, 1973, assuming (i) the measured flow at the Narrows and (ii) the constructive flow at the Narrows. The monthly impairment shall be equal to the difference between the two amounts thus determined. For months in which there is a release

from the "below Narrows" account, measured flow at the Narrows as used pursuant to this paragraph (2.2) shall be decreased in accordance with subparagraph (2.1.B) of paragraph (2.1) of this section (2) above.

(2.3) The amount of percolation impairment shall be credited to the "below Narrows" account. The volume of dewatered storage in the groundwater basin below the Narrows shall be determined at the end of each month. Each month the account shall be reduced, if necessary, so that it does not exceed the actual amount of dewatered storage in the Lompoc Basin at that time. A list of indicator wells in eight storage units in the Lompoc Basin is contained in USBR Exhibit 20, Attachment D, revised March 1, 1973. USBR Exhibit 20, Attachment E, is a compilation of curves dated March 1, 1973 that relate dewatered storage to water level elevations in the indicator wells. Because of uncertainty as to whether the "full" elevations initially shown for the indicator wells in Attachments D and E are correct, such initially shown "full" elevations are tentative only and shall not be used for purposes of reducing the "below Narrows" account unless they are reviewed and are affirmed in accordance with the procedure prescribed in section (a) or section (b) of Condition No. 7 or, if not affirmed, are modified in accordance with said procedure, and in such case they shall then be used as modified.

(2.4) The "below Narrows" account shall not be reduced by Lake Cachuma evaporation.

(2.5) Releases of water in the "below Narrows" account shall be requested by Santa Ynez as soon after the credit is computed as is reasonably consistent with the goal of optimizing the percolation of a substantial amount of such water into the Lompoc Basin, and in such requests Santa Ynez shall specify the desired amounts and rates of flow of such releases, subject to the limitation described below. Permittee shall make the requested releases. The "below Narrows" account shall be reduced by the amount of water so released which reaches the Narrows, as determined pursuant to subparagraph (2.1.C) of paragraph (2.1) of this section (2) above. The amount of water so released which does not reach the Narrows shall be deducted from the "above Narrows" account. The "above Narrows" account may have a negative balance as a result of releases of water from the "below Narrows" account. In the event of a spill from Lake Cachuma, any such negative balance shall be adjusted to zero. To the extent a negative balance exists in the "above Narrows" account, all inflow to Lake Cachuma shall be credited to that account. For any month the requests for releases of water in the "below Narrows" account shall not exceed the lesser of (i) the "below Narrows" account at the end of the previous month, or (ii) the algebraic sum of the "below Narrows" account at the end of the previous month plus the "above Narrows" account at the end of the previous month plus 2,000 acre-feet.

(2.6) The point of delivery of waters stored in the "below Narrows" account shall be at Bradbury Dam.

(2.7) As provided in paragraph (1.8) of section (1) above, in the event of a spill from Lake Cachuma, water in the "above Narrows" account shall be deemed to be the first water spilled to the extent dewatered storage is reduced during the month spill occurs. Additional spill shall be deemed to be water in the "below Narrows" account to the extent dewatered storage below the Narrows is reduced during the month spill occurs.

6. Until further order of the Board, permittee shall make or cause to be made suitable field investigations, measurements, and studies, and shall install necessary measuring facilities, to determine the amount, timing, and rate of releases of water into the natural channel of the Santa Ynez River below Bradbury Dam that are required of permittee in order to fully comply with the provision of Condition No. 5 in this permit, and to determine the effects on riparian vegetation of releases in accordance therewith. Permittee shall provide the necessary measuring devices and shall submit to the Board with the annual progress reports, or at such other times as the Board may require, a report of such investigations, measurements, and studies and the results thereof, including but not limited to the following:

(a) A continuous record of Lake Cachuma water surface elevations.

(b) A continuous record of precipitation near Bradbury Dam.

(c) Daily evaporation, wind movement, precipitation, and temperature near Bradbury Dam.

(d) Daily inflow to Lake Cachuma, including underground flows, by

proper computations of tunnel diversions, reservoir releases, spills, and change in storage.

(e) (Eliminated by Order of September 28, 1961.)

(f) (Eliminated by Order of September 28, 1961.)

(g) Continuous records of outflow from Lake Cachuma, including flows through river outlets at Bradbury Dam, inflows and outflows through Tecolote Tunnel, and overflows at Bradbury Dam spillway. Instruments suitable for accurate measurement of small outflows shall be installed.

(h) Continuing groundwater studies below Bradbury Dam in the Santa Ynez Basin, with monthly observation of representative wells influenced by Santa Ynez River flows at locations as shown on USBR Drawing No. 368-208-499 dated January 9, 1973, (revised February 2, 1973), USBR Exhibit 20, Attachment F.

(i) (Eliminated)

(j) Semiannual water quality analyses of surface and groundwater downstream from Bradbury Dam at locations as shown on USBR Drawing No. 368-208-499 (revised February 2, 1973).

(k) (Eliminated)

(l) (Not used)

(m) Periodic aerial color photographs of the Santa Ynez River channel from Bradbury Dam to its mouth, such photographs to be taken annually or at less frequent intervals with concurrence of California Department of Fish and Game and notification to the Board.

(n) Periodic groundlevel color photographs of representative areas of riparian vegetation along the river, such photographs to be

taken monthly or at less frequent intervals with concurrence of California Department of Fish and Game and notification to the Board.

(o) A record of monthly quantities of dewatered groundwater storage downstream from Bradbury Dam and of monthly quantities shown in the "above Narrows" and the "below Narrows" accounts, as described in Condition No. 5 of this permit.

Permittee shall make its records of such investigations and measurements available for inspection by the Board and shall allow authorized representatives of the Board, Santa Barbara County Water Agency and member units, City of Lompoc, and United States military installation at Vandenberg Air Force Base, reasonable access to its project works and properties for the purpose of gathering information and data.

7. The Board, either upon the request of any party or on its own motion, may, and shall, prior to the expiration of a 15-year trial period after the date of this Order, hear, review, and make such further and different orders as may be required concerning proper releases of water for downstream use, riparian vegetation, and recharge of groundwater, and concerning the investigations, measurements, and studies to be conducted by permittee, until a final determination and order can be made concerning the amounts, timing and rates of releases of water past Bradbury Dam in satisfaction of downstream rights, and the Board retains continuing jurisdiction for such purposes during said 15-year trial period, or for such further time prior to issuance of license as the Board may determine upon notice and hearing to be reasonably necessary for the aforesaid purposes. During such period, the provisions of Conditions Nos. 5 and 6 above are subject to modification by any of the following procedures:

(a) The provisions shall be modified as provided by a written proposal of permittee concurred with in writing by Santa Ynez. The modifications provided by such proposal shall go into effect 30 days after a copy of such proposal has been filed with the Board, unless the Board orders to the contrary prior to the expiration of such 30-day period. Should the Board so order, the Board shall, as soon as practicable, schedule, notice, and hold a hearing, and thereafter issue a decision and order, as to whether the modifications proposed by such proposal, or any other modifications, shall go into effect.

(b) Upon written request by permittee or by Santa Ynez, or on its own motion, the Board shall, as soon as practicable, schedule, notice, and hold a hearing, and thereafter issue a decision and order, as to whether modifications as proposed in such request or by the Board, or any other modifications, should be approved by the Board and go into effect.

(c) If any user of groundwater supplied by the Santa Ynez River downstream from Bradbury Dam or Santa Ynez files a verified written claim for damages with permittee (and mails a copy thereof by registered mail to the Board, and, in the case of a user other than Santa Ynez, to Santa Ynez) that, by reason of the storage of water in Lake Cachuma pursuant to this order, said user or Santa Ynez has been damaged, and permittee denies or fails to act on said claim within 60 days after receipt thereof, Santa Ynez may give written notice to the Board (with copies thereof by registered mail to permittee and any claimant) as follows: said written notice shall state that Santa Ynez

has investigated the claim and believes it to be meritorious, and that because of permittee's failure to approve and pay such claim Santa Ynez elects to modify section (1) of Condition No. 5 of this permit as follows:

(1) In paragraph (1.2) of said section (1) "zero" would be substituted for "10,000".

(2) In the first line of paragraph (1.5) of said section (1), the words "between May 1 and November 1" would be substituted for the words "at any time".

(3) In the third line of said paragraph, the words "between May 1 and November 1 and in such" would be inserted after the words "shall be made at such times".

Said modifications shall become effective immediately. Thereupon, the Board shall, as soon as practicable, schedule, notice, and hold a hearing and thereafter issue a decision and order as to whether the modifications to section (1) of Condition No. 5 described above, or any other modifications, shall remain or go into effect. Notwithstanding the above, the election by Santa Ynez to so modify shall not be construed to adversely affect any rights or remedies which either Santa Ynez or any downstream water user may have against the permittee or any other person or entity by reason of any loss or expense which may occur as a direct result of the release program provided for herein.

IT IS FURTHER ORDERED that Condition No. 8 of said permits be deleted.

Dated: July 5, 1973

Ronald B. Robie, Vice Chairman

We Concur:

W. W. Adams, Chairman

Roy E. Dodson, Member

Mrs. Carl H. (Jean) Auer, Member

W. Don Maughan, Member

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permits 11308 and 11310, Issued on Applications 11331 and 11332, U. S. BUREAU OF RECLAMATION Permittee.	ORDER WR 73-9 Source: Santa Ynez River County: Santa Barbara

ORDER CONTINUING RESERVED JURISDICTION

Condition No. 13 of the Board's order in Decision 886 adopted on February 28, 1958 reserved continuing jurisdiction over permits issued pursuant to Applications 11331 and 11332 for 15 years or for such further time prior to issuance of license as the Board may determine upon notice and hearing to be reasonably necessary to determine the amounts, timing, and rates of release of water past Cachuma Dam which must be made in satisfaction of downstream rights. The reserved jurisdiction requires that the Board, prior to expiration of the 15-year trial period, hear, review, and make such further and different orders as may be required concerning proper releases of water for downstream use and recharge of groundwater, and concerning the investigations, measurements, and studies to be conducted by permittee.

Hearing in accordance with the reserved jurisdiction was held on January 26, 1973. The permittee and representatives of downstream water users and users of project water requested additional time to complete formulation of a proposed new

operating plan for releases past Cachuma Reservoir.

The Board finds that extension of the reserved jurisdiction with continuation of the present conditions concerning releases of water past Cachuma Reservoir and investigations, measurements, and studies to be conducted by the permittee is necessary for a limited time, pending negotiation of an agreement between the interested parties and/or further order of the Board.

NOW, THEREFORE, IT IS ORDERED that the jurisdiction reserved in Condition No. 13 of Decision 886 is continued until further order of the Board, such further order to be made not later than October 1, 1973.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Sacramento, California.

Dated: February 15, 1973

W. W. Adams, Chairman

Ronald B. Robie, Vice Chairman

E. F. Dibble, Member

Roy E. Dodson, Member

Mrs. Carl H. (Jean) Auer, Member

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 11332 PERMIT 11310 LICENSE

ORDER AMENDING PERMIT

WHEREAS the State Water Rights Board on March 19, 1958 issued Permit 11310 on Application 11332 of the United States of America, Bureau of Reclamation, and

WHEREAS permit terms 6(b) and 6(c) of said permit require that until further order of the Board permittee shall install the necessary measuring devices and provide reports showing, among other things,

"(b) A continuous record of precipitation near Cachuma Dam and at one or more other points near Cachuma Reservoir.
(c) Daily evaporation, wind movement, precipitation, and temperature near Cachuma Dam and at one or more other points near Cachuma Reservoir.", and

WHEREAS the United States of America has under date of June 2, 1959 petitioned for relief from the requirement of terms 6(b) and 6(c) to the extent of maintaining only the weather station near Cachuma Dam, and

WHEREAS petitioner shows good cause wherefore the request should be granted;

NOW THEREFORE IT IS ORDERED that said permit terms 6(b) and 6(c) be and the same are hereby amended to read as follows:

" (b). A continuous record of precipitation near Cachuma Dam.

(c). Daily evaporation, wind movement, precipitation, and temperature near Cachuma Dam."

WITNESS MY HAND and the seal of the State Water Rights Board this 30th day of July, 1959.

L. K. Hill

L. K. Hill
Executive Officer

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ORDER

APPLICATION 11332 PERMIT 11310 LICENSE

ORDER AMENDING PERMIT

WHEREAS the State Water Rights Board on March 19, 1958, issued permit 11310 on Application 11332 of the United States of America, Bureau of Reclamation, and

WHEREAS permit terms 6 (e), 6 (f), 6 (h) and 6 (j) require that until further order of the Board permittee shall install the necessary measuring devices and provide reports showing, among other things,

" (e) Stream flow records by suitable measuring structures to determine inflows to Cachuma Reservoir from the Santa Ynez River, Santa Cruz Creek and Cachuma Creek."

" (f) Records of flow of springs tributary to Santa Ynez River as may be necessary to determine the effect of Tecolote Tunnel on the discharge of such springs."

" (h) Continuing ground-water studies in the Santa Ynez Basin, with spring and fall observation of all wells in the basin and monthly observations of wells located within the Santa Ynez River Valley between Cachuma Dam and Mission Bridge near Solvang, and within one mile of the Santa Ynez River downstream from this latter point."

" (j) Quarterly water quality analyses of surface and ground water downstream from Cachuma Dam at locations approved by the Board."

WHEREAS the United States of America has under date of March 16, 1961, petitioned for relief from the requirement of terms 6 (e), 6 (f), 6 (h) and 6 (j) to the extent of eliminating terms 6 (e) and 6 (f) and materially reducing terms 6 (h) and 6 (j) in scope without impairing the overall intent of the conditions, and

WHEREAS petitioner shows good cause wherefore the request should be granted;

NOW THEREFORE IT IS ORDERED that said permit terms 6(e) and 6 (f) be and the same are hereby eliminated, and

72396 3-59 SM SPO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 11332 PERMIT 11310 LICENSE

IT IS FURTHER ORDERED that said permit terms 6(h) and 6(j) be and the same are hereby amended to read as follows:

"6(h) Continuing ground water studies below Cachuma Dam in Santa Ynez Basin with monthly observation of representative wells influenced by Santa Ynez River flows at locations approved by the Board, as shown on U. S. Bureau of Reclamation Drawing No. 368-208-414, revised April 12, 1961. Exceptions to be at such times during the nonirrigation season when a live stream exists along Santa Ynez River to Pacific Ocean and the ground water basin would, accordingly, be full."

"6(j) Semiannual water quality analyses of surface and ground water downstream from Cachuma Dam at locations approved by the Board, as shown on U. S. Bureau of Reclamation Drawing No. 368-208-414, revised April 12, 1961.

WITNESS my hand and the seal of the State Water Rights Board this 28th day of September, 1961

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

FORM 100

72396 3-58 SM SPO

[Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 11332 Filed March 25, 1946 at 2:51 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

12/9/49 AMENDED APPLICATION RECEIVED 3/23/50

I, The United States of America, by the U. S. Bureau of Reclamation
Name of applicant

of P. O. Box 2511, Sacramento County of Sacramento
Address

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 Santa Ynez River
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Santa Barbara 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 50 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 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use 275,000 acre-feet per annum
1 acre-foot equals 325,851 gallons

to be collected between October 1 and June 30 of each season.
Beginning date Closing date

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, industrial and incidental
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. **The point of diversion** is to be located N 10° 00' E, 2560' from the SW corner of projected
State bearing and distance or coordinate distances from section or quarter section corner

Section 19, T6N, R29W, SBB&M. (See supplement)

being within the NW¼ of SW¼ of projected
State 40-acre subdivision of public land survey or projection thereof

Section 19, T. 6N, R. 29W, SB B. & M., in the County of Santa Barbara

5. **The main conduit** terminates in NE¼ of NW¼ of Sec. 35, T. 4N, R. 25W, SB B. & M.
State 40-acre subdivision of U. S. Government survey or 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
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being the storage dam [illegible]
Concrete, earth, brush, etc.

(c) The storage dam will be 208 feet in height (stream bed to overflow level); 3,000 feet long on top; have a freeboard of 8 feet, and be constructed of earth
Concrete, earth, etc.

7. **Storage Reservoir** Cachuma
Name

The storage reservoir will flood lands in See supplement and Map B-30-5
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of approx. 3,650 acres, and a capacity of 275,000 acre-feet.

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☞ 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.

final design not completed

(b) Pipe line: Diameter 48 inches; length 28 ± miles ~~xxx~~; grade _____ feet per

1,000 feet; total $\frac{\text{fall}}{\text{lift}}$ from intake to outlet _____ feet; kind concrete
Riveted steel, concrete, 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 conduit or pumping plant proposed is (See Supplement)
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $30,000,000.00
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 January 1, 1951

Construction work will be completed on or before January 1, 1960

The water will be completely applied to the proposed use on or before January 1, 2000

Description of Proposed Use

11. **Place of Use.** See supplement and Map B-1P-21, Sheets 1 and 2
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 of all 40-acre tracts, describe area in a general way and show detail upon map.

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

(See Supplement)
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

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.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

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 _____ (Beginning date) and end about _____ (Closing date)

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.

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

The water $\frac{\text{will}}{\text{will not}}$ be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of

Sec. _____, T. _____, R. _____, _____ B. & M.

SUPPLEMENT APPLICATION 11332

Paragraph 2: AMOUNT OF WATER

It is intended that the 275,000 acre-feet of water to be diverted for temporary storage is to be stored at rates equal to the combined rate of flow of all presently unappropriated flows above Cachuma Reservoir at all times except when Cachuma Reservoir is full. The figure of 275,000 acre-feet per annum for temporary storage and later application to beneficial use duplicates the 275,000 acre-feet applied for under Application No. 11331 for irrigation and domestic water because the storage will be used for both municipal and irrigation uses in ways which would not permit segregation without increasing the combined amount of storage applied for.

Paragraph 4: POINT OF DIVERSION

Water for diversion to be directly applied to beneficial use without storage will be diverted at the storage dam and at the Tecolote Tunnel intake and/or at various locations along the Santa Ynez River downstream therefrom, such locations to be determined by present and future requirements. Water to be stored for municipal and industrial uses will be rediverted to the South Coast Area via the proposed Tecolote Tunnel in the SE¼ of SE¼ of projected Section 28, T6N, R29W, SBB&M. Water to be stored for municipal and industrial uses will also be released downstream for rediversion at various locations to be determined by present and future requirements.

Paragraph 7: STORAGE RESERVOIR

Cachuma Reservoir will flood lands in projected Sections 9, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 33, 34, 35 and 36, in T6N, R29W, also projected Sections 1, 2 and 3 in T5N, R29W, SBB&M, Map No. B-3Q-5.

Paragraph 8: CONDUIT SYSTEM

The diversion of water from Cachuma Reservoir to the South Coast Area will be made via the proposed Tecolote Tunnel, described as follows:

Length - 33,635 feet

Section - Seven foot, concrete-line, horseshoe

Capacity - 100 cubic feet per second

3

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	Invert
Elev. (U.S.C.&G.S. datum) at Inlet (North Portal)	660.00
Elev. at Outlet (South Portal)	651.59

Slope of Hydraulic Gradiant = .00025

Capacity of 48" pipe line at Engr. Station 0/00 is 100 cubic feet per second. The diameter of the pipe line will be uniform for long sections but will diminish at intervals.

Tecolote Tunnel will terminate within the SW¼ of SE¼ of Section 26, T5N, R29W, SBB&M, where it will discharge into the proposed South Coast Conduit at its point of beginning. The South Coast Conduit will terminate in NE¼ of NW¼ of Section 35, T4N, R25W, SBB&M, and will supply branch canals and distribution systems enroute.

Paragraph 9: THE ESTIMATED CAPACITY OF DIVERSION WORKS

One hundred cubic feet per second through Tecolote Tunnel with reservoir at usual operating stages. Minimum of 250 cubic feet per second through river outlet works with reservoir stage at dead storage level which is the same elevation as the bottom of the Tecolote Tunnel at its point of intake.

Paragraph 11: PLACE OF USE

The water will be used within the boundaries shown on Map B-1P-21 (Sheets 1 and 2) for the Goleta County Water District, the city of Santa Barbara, the Montecito County Water District, the Summerland County Water District, the Carpinteria County Water District, and the Santa Ynez River Water Conservation District, provided, that delivery of water in the service areas of districts, municipalities, water companies, corporations, individuals, and other legal entities within the aforesaid boundaries is conditioned upon execution of valid contracts for such deliveries.

Recreational use at the reservoir site (for location see supplement to Paragraph 7).

Water will be used by the United States of America, or by persons, the State, State or United States agencies, authorities, associations, public or private corporations, Political subdivisions, and other agencies, either as a primary or supplemental supply, and under contracts with or other authorization by the United States of America which may be made or given by authority of and pursuant to law.

Paragraph 15: MUNICIPAL USE.

Water demands for municipal and industrial uses will be supplied as required to cities, towns and other municipalities presently in existence or as may be created within the place of use. Some such municipalities are or will be adequately served with water by appropriations under lawful rights acquired and used independently of the United States. Other municipalities are or will be partially so served, but will require a supplemental water supply which will be furnished through rights acquired by the United States.

It is proposed to use water for municipal purposes under this application to serve the following cities, towns and populated communities as well as other centers of populations within the project area.

City or Town	Population 1940	Estimated population at time of utilizing full amount of this appl.*
Lompoc	3379	6900
Santa Ynez	526	1000
Solvang	600	1200
Surf	125	300
Buellton	150	300
Santa Barbara	34958	98700
Montecito	2000	4100
Carpinteria	1000	2000
Goleta-Elwood	1200	2500
Total	43938	117000

* Based on percentages used in State Report—Reconstruction and Re-employment Commissioner—November 1946, except for Santa Barbara which is taken from U.S.B.R. Report App. IV, Santa Barbara Project.

Estimates of the maximum daily water requirements and daily average flows during such maximum days are listed below. These estimates are based on a maximum daily use of approximately 259 gallons per day per person which assumes 15 percent transportation loss and a maximum daily demand of 50 percent more than the 150 gallons per day per person considered as the mean requirement during the month of maximum need.

Year	G. P. D.	c.f.s.	Year	G. P. D.	c. f. s.
1940	11,000,000	17.0	1965	20,350,000	31.5
1945	12,800,000	19.8	1970	22,200,000	34.4
1950	14,600,000	22.6	1975	23,950,000	37.2
1955	16,550,000	25.6	1980	25,800,000	40.0
1960	18,500,000	28.6	1985	27,550,000	42.7
		1990	29,300,000	45.3	

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[SIGNATURE OF APPLICANT] /s/Richard L. Boke
Richard L. Boke
REGIONAL DIRECTOR

IMPORTANT

[Please Read Carefully]

1. *Note the terms and conditions of this permit.* Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.

2. Neither this application nor the permit is a water right, but *if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water*—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.

3. *No change in point of diversion, or place of use or character of use, can be made under this application and permit* without the approval of the State Water Rights Board.

4. *If the rights under this permit are assigned* immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.

5. *Please advise immediately of any change of address.* Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

40137 7-56 2M SPO

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ORDER

APPLICATION 11332 PERMIT 11310 LICENSE

ORDER AMENDING PERMIT

WHEREAS the State Water Rights Board on March 19, 1958 issued Permit 11310 on Application 11332 of the United States of America, Bureau of Reclamation, and

WHEREAS permit terms 6(b) and 6(c) of said permit require that until further order of the Board permittee shall install the necessary measuring devices and provide reports showing, among other things,

"(b) A continuous record of precipitation near Cachuma Dam and at one or more other points near Cachuma Reservoir.

(c) Daily evaporation, wind movement, precipitation, and temperature near Cachuma Dam and at one or more other points near Cachuma Reservoir.", and

WHEREAS the United States of America has under date of June 2, 1959 petitioned for relief from the requirement of terms 6(b) and 6(c) to the extent of maintaining only the weather station near Cachuma Dam, and

WHEREAS petitioner shows good cause wherefore the request should be granted;

NOW THEREFORE IT IS ORDERED that said permit terms 6(b) and 6(c) be and the same are hereby amended to read as follows:

" (b). A continuous record of precipitation near Cachuma Dam.

(c). Daily evaporation, wind movement, precipitation, and temperature near Cachuma Dam."

WITNESS MY HAND and the seal of the State Water Rights Board this 30th day of July, 1959.

L. K. Hill

L. K. Hill
Executive Officer

FORM 100

88771 10-58 10M SPO

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 11310

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 to be appropriated shall be limited to the amount which can be beneficially used and shall not exceed 50 cubic feet per second by direct diversion between January 1 and December 31 of each year, and 275,000 acre-feet per annum by storage to be collected between about October 1 of each year and about June 30 of the following year.

2. The total amount of water to be appropriated by storage for all purposes under permits issued pursuant to Applications 11331 and 11332 shall not exceed 275,000 acre-feet per annum.

3. The maximum amounts herein stated may be reduced in the licenses if investigation so warrants.

4. All rights and privileges under these permits, 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 water.

5. Permittee shall release water into the Santa Ynez River channel from Cachuma Reservoir in such amounts and at such times and rates as will be sufficient, together with inflow from downstream tributary sources, to supply downstream diversions of the surface flow under vested prior rights to the extent water would have been available for such diversions from unregulated flow, and sufficient to maintain percolation of water from the stream channel as such percolation would occur from unregulated flow, in order that operation of the project shall not reduce natural recharge of ground water from the Santa Ynez River.

6. Until further order of the Board permittee shall make or cause to be made suitable field investigations, measurements, and studies, and shall install necessary measuring facilities, to determine the amount, timing, and rate of releases of water into the natural channel of the Santa Ynez River below Cachuma Dam that

are required of permittee in order to fully comply with the provisions of conditions No. 5 in this permit. Permittee shall provide the necessary measuring devices and shall submit to the Board with the annual progress reports, or at such other times as the Board may require, a report of such investigations, measurements, and studies and the results thereof, including but not limited to the following:

(a) A continuous record of Cachuma Reservoir water surface elevations.

(b) A continuous record of precipitation near Cachuma Dam and at one or more other points near Cachuma Reservoir.

(c) Daily evaporation, wind movement, precipitation, and temperature near Cachuma Dam and at one or more other points near Cachuma Reservoir.

(d) Daily inflow to Cachuma Reservoir, including underground flows, by proper computations of tunnel diversions, reservoir releases, spills, and change in storage.

(e) Stream flow records by suitable measuring structures to determine inflows to Cachuma Reservoir from the Santa Ynez River, Santa Cruz Creek and Cachuma Creek.

(f) Records of flow of springs tributary to Santa Ynez River as may be necessary to determine the effect of Tecolote Tunnel on the discharge of such springs.

(g) Continuous records of outflow from Cachuma Reservoir, including flows through river outlets at Cachuma Dam, inflows and outflows through Tecolote Tunnel, and overflows at Cachuma spillway. Instruments suitable for accurate measurement of small outflows shall be installed.

(h) Continuing ground water studies in the Santa Ynez Basin, with spring and fall observation of all wells in the Basin and monthly observations of wells located within the Santa Ynez River Valley between Cachuma Dam and Mission Bridge near Solvang, and within one mile of the Santa Ynez River downstream from this latter point.

(i) Periodic surveys of the Santa Ynez River channel to determine consumptive use by native vegetation.

(j) Quarterly water quality analyses of surface and ground water downstream from Cachuma Dam at locations approved by the Board.

(k) Estimate of augmentation each water year from the Santa Ynez River to underground supply below Cachuma Dam, together with supporting data.

Permittee shall make its records of such investigations and measurements available for inspection by the Board and shall allow authorized representatives of the Board, Santa Barbara County Water Agency and member units, City of Lompoc, and United States military installation at Camp Cook, reasonable access to its project works and properties for the purpose of gathering information and data, to the extent not inconsistent with national defense.

7. The Board, either upon the request of any party or on its own motion, may, and shall, prior to the expiration of a 15-year trial period, hear, review, and make such further and different orders as may be required concerning proper releases of water for downstream use and recharge of ground water, and concerning the investigations, measurements, and studies to be conducted by permittee, until a final determination and order can be made concerning the amounts, timing and rates of releases of water past Cachuma Dam in satisfaction of downstream rights, and the Board retains continuing jurisdiction for such purposes during said 15-year trial period, or for such further time prior to issuance of license as the Board may determine upon notice and hearing to be reasonably necessary for the aforesaid purposes.

8. All releases of water past Cachuma Dam shall be made in such a manner as to maintain a permanent live stream at all times as far below said dam as possible, consistent with the purposes of the project and the requirements of downstream users.

9. The right to divert and store water, and apply said water to beneficial use as provided in the permits is granted to the United States as trustee

for the benefit of the public agencies of the State together with the owners of land and water users within such public agencies as shall be supplied with the water appropriated under the permits.

10. Subject to compliance by the public agencies concerned with any and all present and future valid contractual obligations with the United States, such public agencies, on behalf of their landowners and other water users, shall, consistent with other terms of the permits, have the permanent right to the use of all water appropriated and beneficially used hereunder, which right shall be appurtenant to the land to which said water shall be applied, subject to continued beneficial use and the right to change the point of diversion, place of use and purpose of use, as provided in Chapter 10 of Part 2 of Division 2 of the Water Code of the State of California, and further subject to the right to dispose of a temporary surplus.

11. Upon completion of the appropriation and beneficial use of water under the permits, any license or licenses which may be issued pursuant to Chapter 9 of Part 2 of Division 2 of the California Water Code shall be issued to the public agencies of the State within which the water shall have been found by inspection by the Board to have been applied to beneficial use.

12. Construction work shall be completed on or before December 1, 1960.

13. Complete application of the water to the proposed use shall be made on or before December 1, 2000.

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: MAR 19 1958

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer

57214 6-57 SM ① BPO