

P.12827

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

Application 5644A Permit 12827

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

WHEREAS:

1. Permit 12827 was issued to Georgetown Divide Public Utility District on June 30, 1961, pursuant to Application 5644A.
2. A petition for an extension of time to develop and place water to beneficial use was filed with the State Water Resources Control Board (SWRCB) on August 19, 1996.
3. The SWRCB has determined that the petition for an extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. Permittee's development and operation of the Stumpy Meadow Project require amendments to the language in Permit Terms Number 8 and 9 with respect to the location of the sites for monitoring flows.
5. Permittee claims entitlements to water used in the project under water rights other than those covered by permits or licenses. A permit condition that reflects the potential duplication of existing rights should be added.
6. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.
7. The permit term relating to the water quality objectives of the SWRCB should be updated to conform to Section 780(b), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The development schedule for Permit 12827 is amended to read as follows:

Complete application of water to the authorized use shall be made by December 31, 2010.
(0000009)

2. Paragraph 8 of Permit 12827 is amended to read as follows:

Permittee shall maintain a daily record of inflow and outflow from the reservoir operated under this permit. The Pilot Creek flow measurements shall be obtained from USGS Gage Station No. 11431800 upstream of the reservoir and downstream at USGS Gage Station No. 11433040. Permittee shall also maintain a daily record of volumes in storage and water surface elevations in the reservoir.

During the snow season of November through April of the succeeding year when permittee's personnel would be placed at physical risk to collect said measurements, the daily reservoir storage volume and water surface elevation can be interpolated from data obtained by its current measurement program. After the snow season, permittee shall record weekly readings of the reservoir surface elevation and interpolate the data into a daily reservoir volume and elevation record.

Permittee shall provide and maintain such measuring facilities as may be necessary for this purpose. Permittee shall make said records of inflow, outflow, and fluctuations of the volume in storage and water surface elevations of the reservoir available to the SWRCB and shall allow representatives of the SWRCB access to the project works and properties for the purpose of securing supplemental information.

(0070999)

3. Paragraph 9 of Permit 12827 is amended to read as follows:

For the purpose of maintaining fish life, permittee shall bypass down the natural stream channel of the streams involved in this permit, flows recommended by the Department of Fish and Game in Exhibit No. 15 of the 1956 Hearing for Applications 12140, 12421, 16212, and 16688. The bypass reads as follows:

PILOT CREEK IN THE SECTION OF STREAM UPSTREAM OF STUMPY MEADOWS RESERVOIR AND BETWEEN STUMPY MEADOWS RESERVOIR AND THE PILOT CREEK DIVERSION DAM:

(a) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be 1,500,000 acre-feet or more for the current water year: four cubic feet per second (cfs), or the natural flow between two and four cfs when the natural flow is less than four cfs.

(b) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be less than 1,500,000 acre-feet for the current water year: not less than two cfs.

(c) The minimum release of water, from the beginning of each water year (October 1) until the 1st available prediction*, following February 1st, shall be

four cfs, or the natural flow between two and four cfs when the natural flow is less than four cfs.

(d) The minimum release of water shall never be less than two cfs irrespective of natural flow.

(e) Natural flow is defined for this purpose as the natural flow of Pilot Creek measured immediately above the confluence of Pilot Creek and the inflow from the proposed diversion from Onion Creek.

(f) Releases are to be measured in the natural stream bed of Pilot Creek at USGS Gage Station No. 11431800 located upstream of the Stumpy Meadows Reservoir and approximately 300 feet downstream of the Stumpy Meadows Reservoir Dam.

PILOT CREEK IN THE SECTION OF STREAM DOWNSTREAM OF THE PILOT CREEK DIVERSION DAM INTO EL DORADO DITCH NEAR MUTTON CANYON:

(a) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be 1,500,000 acre-feet or more for the current water year: four cfs, or the natural flow as defined above in paragraph (e), whichever is less, for natural flows between two and four cfs.

(b) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be less than 1,500,000 acre-feet for the current water year and until a prediction* to the contrary: not less than two cfs.

(c) The minimum release of water shall never be less than two cfs, irrespective of the natural flow.

(d) The flows are to be measured in the natural stream bed of Pilot Creek at USGS Gage Station No. 11433040 located downstream from the Pilot Creek Diversion Dam near Mutton Canyon.

* Predictions of unimpaired runoff of the American River at Fair Oaks will be based upon reports and predictions of the State Department of Water Resources and the United States Weather Bureau. The specific methods of calculating these predictions for the purposes of these conditions will be determined mutually by the applicant and the Department of Fish and Game and will be presented to the SWRCB at the earliest possible date. If the parties are unable to reach a satisfactory agreement for the specific method of calculating these predictions for the purpose of these conditions, on motion of either party or said Board, the matter shall be subject to review and decision by said Board.

(0140500)

4. The water quality objectives under Paragraph 14 shall be updated to read as follows:

The quantity of water diverted under this permit is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB

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

(000013)

5. Permit 12827 is amended to include the following term regarding duplication of existing water rights:

During the season specified in this permit, the total quantity and rate of water diverted and used under this permit and under permittee's claimed existing right for the place of use specified in the permit shall not exceed the quantity and rate of diversion and use specified in this permit. If the permittee's claimed existing right is quantified at some later date as a result of an adjudication or other legally binding proceeding, the quantity and rate of diversion and use allowed under this permit shall be the net of the face value of the permit less the amounts of water available under the existing right.

Permittee shall forfeit all rights under this permit if permittee transfers all or any part of the claimed existing right for the place of use covered by this permit to another place of use without the prior approval of the SWRCB.

Permittee shall take and use water under the existing right claimed by permittee only in accordance with law.

(000021)

6. Permit 12827 is amended to include the following Endangered Species condition:

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

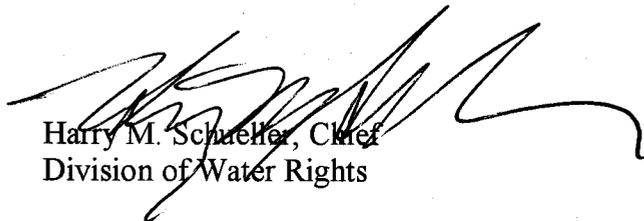
(000014)

Application 5644A

Permit 12827

7. Permit 12827 is subject to all prior terms and conditions not updated by this Order to reflect compliance with the SWRCB's policy.

Dated: **MAR 24 2000**



Harry M. Schueller, Chief
Division of Water Rights

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

ORDER

APPLICATION 5644-A

PERMIT 12827

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

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

NOW, THEREFORE, IT IS ORDERED THAT:

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

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1991 (0000008)

2. Paragraph 6 of the permit is amended to read as follows:

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

December 1, 1992 (0000009)

3. Paragraph 10 of this permit is deleted. A new Paragraph 10 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against

reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **DECEMBER 17 1985**

Lloy Johnson
Lloy Johnson, Interim Chief
Division of Water Rights

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

ORDER

APPLICATION 5644-A

PERMIT 12827

LICENSE _____

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

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use and a petition to add a purpose of use and place of use have been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time and for the said changes.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

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

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1983
(0000008)

2. Paragraph 6 of the permit is amended to read as follows:

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

December 1, 1991
(0000009)

3. The purposes of use under this permit shall be as follows:

Irrigation, Domestic, Stockwatering and Incidental Power.

4. The place of Use under this permit shall be as follows:

Total irrigated area of 14,140 acres within the District's boundaries of 66,500 acres as shown on maps on file with State Water Resources Control Board and include the following power plants:

Tunnel Power Plant within Section 26, T13N, R11E, MDB&M
Buckeye Power Plant within Section 1, T12N, R10E, MDB&M
Buffalo Hill Power Plant within Section 10, T12N, R10E, MDB&M
Kaiser Power Plant within Section 6, T12N, R10E, MDB&M

5. Paragraph 10 of this permit is deleted. A new paragraph 10 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

(0000012)

6. Paragraph 14 is added to this permit as follows:

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

(0000013)

7. Paragraph 15 is added to this permit as follows:

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

(0000029)

8. Paragraph 16 is added to this permit as follows:

The total annual diversion and use allowed under this permit and Permits 11304 and 11305 shall not exceed 20,000 acre-feet per annum.

(0000114)

Dated: DECEMBER 16 1981



Raymond Walsh, Chief
Division of Water Rights

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

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 5644-A Filed July 30, 1927 at M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER
 AMENDED APPLICATION RECEIVED 6-26-58

I, Georgetown Divide Public Utility District
Name of applicant or applicants
 of Georgetown County of El Dorado
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 Pilot Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
 located in El Dorado County, tributary to Rubicon River, thence Middle Fork American River

2. The amount of water which applicant desires to appropriate under this application is as follows:
 (a) For diversion to be directly applied to beneficial use (1) 100 cubic feet per second, to be diverted from November 1 ~~January 1~~ to August 1 ~~December 31~~ of each year.
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use (2) 20,000 acre-feet per annum, to be collected between November 1 ~~Jan. 1~~ and August 1 ~~Dec. 31~~ of each season.
1 acre-foot equals 325,851 gallons
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 irrigation, domestic and stockwatering
Domestic, irrigation, power, municipal, mining, industrial, recreational
 purposes.

4. The point of diversion is to be located (1) California Grid Coordinates, Zone I, N 460 150, and E. 2 386850; (2) N 64° 45'E, 7260.8 from SW corner of Section 10, T12N, R12E, MDB&M.
State bearing and distance or coordinate distances from section or quarter section corner

being within the (1) SE¹/₄ of NW¹/₄; (2) SE¹/₄ of NW¹/₄
(1) 4 State 40-acre subdivision of public land survey or projection thereof
 of Section (2) 11, T. 12N, R. 12E, M. D. B. & M., in the County of El Dorado

5. The main conduit terminates in SW¹/₄ of NE¹/₄ of Sec. 6, T. 11N, R. 9E, M. D. 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 15 feet in height (stream bed to level of overflow); 50 feet long on top; and constructed of concrete
(2) Concrete, earth, brush, etc.

(c) The storage dam/will be 160 feet in height (stream bed to overflow level); 1025 feet long on top; have a freeboard of 10 feet, and be constructed of earth and rock
Concrete, earth, etc.

7. Storage Reservoir Stumpy Meadows
Name

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

It will have a surface area of 200 acres, and a capacity of 20,000 acre-feet.

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

see D-1013

8. Conduit System (describe main conduits only) **El Dorado Ditch (new)**

(a) Canal, ditch, flume: Width on top (at water line) **13.2** feet; width at bottom **6** feet; depth of water **5.25** feet; length **15** miles **XX** feet; grade **5.25** feet per 1,000 feet; materials

of construction **Earth and wood flumes**
 This ditch will connect with existing ditch above Georgetown Lumber Company
 (b) Pipe line: Diameter **18** inches; length **15** miles **XX** feet; grade **5.25** feet per 1,000 feet
 See supplement for balance of ditches
 Fall from intake to outlet **1,000** feet; total lift **1,000** feet; kind **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 **130** cubic feet per second
 State cubic feet per second or gallons per minute
 The estimated cost of the diversion works proposed is **\$4,000,000.**
 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 **May 1, 1960**
 Construction work will be completed on or before **May 1, 1962**
 The water will be completely applied to the proposed use on or before **July 1, 1970**

Description of Proposed Use

11. Place of use. **20,000** acres net within a gross area of **63,600** acres located in **T11, 12 and 13 N, R 8, 9 and 10E, MDB&M.** As outlined on map filed with State Water Rights Board
 State 40-acre subdivisions of the public land survey. If area is unurveyed 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? **No**
 Yes or No
 Applicant is a public utility

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.
 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.

Nature of Right (irrigation, 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. Old rights of undetermined amounts* dating back about 100 years.				
2. Includes 10,000* acre feet in Loon Lake, direct diversion from Gentle Creek,				
3. Pilot Creek and all intervening streams up to capacities of existing ditch system.				
4.				

Attach supplement at top of page 3 if necessary.
 13. Irrigation Use. The area to be irrigated is **20,000** acres.
 State net acreage to be irrigated
 The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa **1000** acres;

orchard **2,000** acres; general crops **1,000** acres; pasture **16,000** acres.
 NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.
 The irrigation season will begin about **April 1** and end about **November 1**
 Beginning date
 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 \times fall \div 8.8

The use to which the power is to be applied is _____
 For distribution and sale or private use, etc.
 The nature of the works by means of which power is to be developed is _____
 Turbine, Pelton wheel, etc.
 The size of the nozzle to be used is _____ inches.

The water will not be returned to _____ in _____ State 40-acre subdivision of _____
 Name stream
 Sec. _____ T. _____ R. & M. _____

Supplement to Application 5644-A

Paragraph 8

<u>Name of ditch</u>	<u>Length Miles</u>	<u>Present Capacity</u>	<u>Ultimate Capacity</u>	<u>Remarks</u>
Pilot Creek	12	25	130	From junction of El Dorado Ditch with present ditch to Georgetown
Georgetown	10	20	125	From Georgetown to Greenwood Res.
Kelsey	15	2 $\frac{1}{2}$	5	From Georgetown to Kelsey
Garden Valley	4	2 $\frac{1}{2}$	5	From Natlich's to Garden Valley
Greenwood	15	20	115	From Greenwood Res. to Dorman's Y
Spanish Dry Diggins	4	$\frac{1}{2}$	5	See Map
Cherry Acres	3	3	10	Dorman's Y to Cherry Acres
Quarry	2	1	5	See map
Pilot Hill	9	10	100	From Dorman's Y to Pilot Hill
	<hr/> 74			

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.

PERMIT No. 12827

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 100 cubic feet per second by direct diversion, and 20,000 acre-feet per annum by storage to be diverted and collected from about November 1 of each year to about August 1 of the succeeding year. (0000005)
2. The total amount of water to be diverted from Pilot Creek under this permit and Permits 11304 (Application 16212) and 11305 (Application 12421) shall not exceed 100 cubic feet per second by direct diversion and 20,000 acre-feet per annum by storage. (0000114)
3. The maximum amount herein stated may in license be reduced if investigation warrants. (0000006)
4. Actual construction work shall begin on or before September 1, 1961, and shall thereafter be prosecuted with reasonable diligence and if not so commenced and prosecuted this permit may be revoked. (0000007)
5. Construction work shall be completed on or before December 1, 1965. (0000008)
6. Complete application of the water to the proposed uses shall be made on or before December 1, 1980. (0000009)
7. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board. (0000010)
8. Permittee shall maintain a daily record of inflow into and outflow from the reservoir. It shall also maintain a daily record of volumes in storage and water surface elevation of the reservoir. It shall provide and maintain such measuring facilities as may be necessary for these purposes. It shall make said records of inflow, outflow, and fluctuations of volume in storage and water surface elevations available to the State Water Rights Board and shall allow authorized representatives of that Board reasonable access to its project works and properties for the purpose of securing supplemental information. (0070999)
9. Permittee shall bypass down the natural stream channel for the purpose of maintaining fish life such flows as are required by Permits 11304 and 11305, which are specifically set forth in Fish and Game Exhibit No. 15, admitted into evidence at the hearing of Applications 12421 and 16212. (0140500)
10. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of public welfare to prevent waste, unreasonable use, unreasonable methods of use, or unreasonable method of diversion of said waters. (0000012)
11. In accordance with Water Code Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees, and vegetation which will interfere with the use of the reservoir for water storage and recreational purposes. (0120050)
12. This permit is subject to compliance with Water Code Section 10504.5(a). (0000999)
13. This permit shall not be construed as granting any rights to permittee except as herein expressly authorized. (0000022)

12827

Executive Officer

17221
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: JUN 30 1961

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill

Executive Officer

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

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

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim
_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

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

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

and it ^{will} be returned to _____ in _____ of
will not Name stream State 40-acre subdivision

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

17. **Other Uses.** The nature of the use proposed is domestic and stockwatering within the boundaries
Industrial, recreational, domestic, stockwatering, fish culture, etc.
of the Georgetown Divide Public Utility District

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes If not,
Yes or No
state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? no If not, give name and
Yes or No
address of owner and state what steps have been taken to secure right of access thereto. Applicant is a public agency

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

Georgetown

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? none known

GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

[SIGNATURE OF APPLICANT] /s/ Lawrence Megel
Chairman, Board of Directors