STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

AMENDED

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 15000

Application 21471B of United States Bureau of Reclamation

P. O. Box 427, Boulder City, Nevada 89005

filed on September 23, 1963, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source: Santa Margarita River

Tributary to: Pacific Ocean

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridan
De Luz Dam to be located on the main channel of the Santa Margarita River a short distance below the confluence of De Luz Creek with that stream in	NW¼ of NW¼	32	9S	4W	SB

County of San Diego

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridan	Acres
Military						
Municipal						
Domestic	within Camp Pendleton Naval Enclave					
Irrigation	within Camp Pendleton Naval Enclave					5600

The place of use is shown on map filed with the State Water Resources Control Board.

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5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 165,000 acre-feet per annum to be collected from January 1 to December 31 of each year.

6. The amount authorized for appropriation may be reduced in the license if investigation warrants.

7. Construction work shall be completed by December 31, 1990.

8. Complete application of the water to the authorized use shall be made by December 31, 1996.

9. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued.

10. Permittee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

11. 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) to 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.

12. 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.

13. The State Water Resources Control Board reserves jurisdiction over this permit to reconsider the development schedule if Congressional authorization and initial funding for the project is not obtained by December 31, 1985, or if obtained by said date, the Secretary of the Interior, or other federal official, subsequently determines that the project is not economically justified or environmentally acceptable. Action by the Board will be taken only after notice to interested parties and opportunity for hearing.

14. Permittee shall consult with the Division of Water Rights and the Department of Water Resources and develop and implement a water conservation program. The Water Conservation Plan, dated March 1981, prepared for the Fallbrook Public Utility District by the San Diego County Water Authority, shall constitute minimum actions to be included in the permittee's program for the place of use outside of Camp Pendleton. Camp Pendleton's current water management plan should be included in the conservation program for the place of use within the military reservation. A progress report on development of the program shall be submitted to the State Water Resources Control Board within 6 months from the date of this order. The program shall be presented to the Board for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board.

15. Permittee shall install and maintain an outlet pipe of adequate capacity in its dam as near as practicable to the bottom of the natural stream channel in order that water entering the reservoir which is not authorized for approriation may be released.

16. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the reservoir of all structures, trees and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

17. In order to prevent degradation of the quality of water during and after construction of the project, prior to commencement of construction permittee shall file a report pursuant to Water Code Section 13260 and shall comply with any waste discharge requirements imposed by the California Regional Water Quality Control Board, San Diego Region, or by the State Water Resources Control Board.

Failure of permittee to comply with this term will subject the permit to revocation, after opportunity for hearing.

18. The issuance of this amended permit shall not be construed as placing a limitation on any riparian right or decreed right to the waters of the Santa Margarita River held by the permittee or any user of the water appropriated hereunder.

19. The State Water Resources Control Board reserves jurisdiction over this permit to impose further conditions in the public interest pursuant to Water Code Sections 1243, 1243.5, 1253, and 1257, and pursuant to the Board's public trust authority to include measures necessary to mitigate significant environmental impacts of the project. All such conditions and measures shall conform to the standard of reasonableness contained in Article X, Section 2 of the California Constitution. Action by the Board will be taken only after notice to interested parties and an opportunity for hearing.

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: APRIL 17 1985

STATE WATER RESOURCES CONTROL BOARD

Raymond Walsh

Chief, Division of Water Rights