

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

ORDER

APPLICATION 23719

PERMIT 16287

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 16287 was issued to Fred W. Rush and Dorothy C. Rush on March 8, 1971 pursuant to Application 23719.
2. Permit 16287 was subsequently assigned to Dorothy C. Rush.
3. 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.
4. The permittee has proceeded with diligence and good cause has been shown for extension of time.
5. Permit Condition 11 pertaining to the continuing authority of the Board should be updated to conform to standard permit term 12 as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1989 (0000008)

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

December 31, 1994 (0000009)

2. Condition 11 of the permit be amended to read:

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

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may

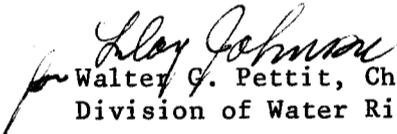
Permit 16287 (Application 23719)

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.

(000012)

Dated: JULY 29 1988


Walter G. Pettit, Chief
Division of Water Rights

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

ORDER

APPLICATION 23719

PERMIT 16287

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

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. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 1, 1986 (0000008)

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

December 1, 1987 (0000009)

Dated: FEBRUARY 3 1984

Raymond Walsh

Raymond Walsh, Chief
Division of Water Rights

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

ORDER

APPLICATION 23719

PERMIT 16287

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING 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. It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE COMPLETED
ON OR BEFORE

DECEMBER 1, 1980 (0000008)

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

DECEMBER 1, 1981 (0000009)

2. Paragraph 11 of the permit be amended to read 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 phreato-phytic 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)

Dated: **MAY 9** 1979



Clint Whitney
Executive Director
Water Rights and
Administration

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

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT No. 16287

Application 23719 of FRED W. RUSH AND DOROTHY C. RUSH *awr*
TWIN SISTERS RANCH, SUISUN, CALIFORNIA 94585

filed on MARCH 8, 1971, 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:

Tributary to:

UNNAMED STREAM

SUISUN CREEK THENCE CHADBOURNE SLOUGH

THENCE WELLS SLOUGH THENCE SUISUN

SLOUGH THENCE SUISUN BAY

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
(1) NORTH 25° EAST 2,100 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	NW ¼ of SW ¼	1	5N	3W	MD
(2) NORTH 34° EAST 2,050 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	NW ¼ of SW ¼	1	5N	3W	MD
(3) NORTH 38° EAST 2,200 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	NW ¼ of SW ¼	1	5N	3W	MD
(4) NORTH 45° EAST 2,550 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	NE ¼ of SW ¼	1	5N	3W	MD
(5) NORTH 58° EAST 2,950 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	NE ¼ of SW ¼	1	5N	3W	MD
* NORTH 24° WEST 1,200 FEET FROM SW CORNER OF SECTION 1, T5N, R3W, MDB&M	SE ¼ of SE ¼	2	5N	3W	MD

*POINT OF DIVERSION TO OFFSTREAM STORAGE
County of SOLANO

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
STOCKWATERING						
RECREATIONAL						
IRRIGATION	NW1/4 OF SW1/4	1	5N	3W	MD	10
	NE1/4 OF SW1/4	1	5N	3W	MD	20
				TOTAL		30

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

5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed 47 ACRE-FEET PER ANNUM TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO MAY 1 OF THE SUCCEEDING YEAR IN FIVE RESERVOIRS AS MORE SPECIFICALLY SET FORTH IN PARAGRAPH 7 OF APPLICATION 23719.

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED 1 CUBIC FOOT PER SECOND.

(0000005)

6. The maximum quantity herein stated may be reduced in the license if investigation warrants.

(0000006)

7. Actual construction work shall begin on or before nine months from date of permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

(0000007)

8. Said construction work shall be completed on or before DECEMBER 1, 1974.

(0000008)

9. Complete application of the water to the proposed use shall be made on or before DECEMBER 1, 1975.

(0000009)

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

(0000010)

11. 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 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.

(0000012)

12. 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.

(0000011)

13. 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)

14. NO WATER MAY BE DIVERTED UNDER THIS PERMIT FOR IRRIGATION, STOCKWATERING AND RECREATIONAL PURPOSES UNTIL THE PERMITTEE HAS FILED A REPORT OF WASTE DISCHARGE WITH THE SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD PURSUANT TO WATER CODE SECTION 13260 AND THE REGIONAL BOARD OR STATE BOARD HAS PRESCRIBED WASTE DISCHARGE REQUIREMENTS (UNLESS A WAIVER HAS BEEN ISSUED BY THE REGIONAL BOARD OR THE REGIONAL BOARD FAILS TO ACT WITHIN 120 DAYS AFTER THE REPORT HAS BEEN FILED). THEREAFTER, WATER MAY BE DIVERTED ONLY DURING SUCH TIMES AS ALL REQUIREMENTS PRESCRIBED BY THE REGIONAL BOARD OR STATE BOARD ARE BEING MET.

(0290101)

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: SEP 20 1971

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights

P16287

5-25-82 Int of Fred W. Rush asgd to Dorothy C.
Rush

A-23719 P. 16287 6/12/91 Name of Sharon K.
26907 P. 18808 Chaney-added

4-26-95 Assign to Sharon K. Chaney