

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

## PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 16584

Application 18733 of U. S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF RECLAMATION, REGION 2 OVER  
2800 COTTAGE WAY, SACRAMENTO, CALIFORNIA 95825

filed on MAY 22, 1959, 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:

<u>FRESNO RIVER</u>	<u>SAN JOAQUIN RIVER</u>

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridan
<u>SOUTH 77° 30' EAST, 2,840 FEET FROM NW CORNER OF SECTION 34</u>	<u>NE1/4 OF NW1/4</u>	<u>34</u>	<u>9s</u>	<u>19E</u>	<u>MD</u>

County of MADERA

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridan	Acres
<u>RECREATIONAL</u>	<u>AT HIDDEN RESERVOIR, BEING WITHIN SECTIONS 13, 14, 22, 23, 34, 26, 27, 28 AND 35</u>		<u>9s</u>	<u>19E</u>	<u>MD</u>	
<u>DOMESTIC AND IRRIGATION</u>	<u>MAINLY USED FOR A NET AREA OF 98,000 ACRES WITHIN A GROSS AREA OF 112,000 ACRES WITHIN THE MADERA IRRIGATION DISTRICT, BEING WITHIN T7S TO 13S AND R10E TO 21E</u>				<u>MD</u>	

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

2-1-80 Name chgd to U.S. Water + power Res. Service

5. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED, AND SHALL NOT EXCEED 74,000 ACRE-FEET PER ANNUM BY STORAGE TO BE COLLECTED FROM DECEMBER 1 OF EACH YEAR TO APRIL 30 OF THE SUCCEEDING YEAR, PROVIDED THE DIVERSION SEASON MAY BE EXTENDED TO INCLUDE THE MONTHS OF NOVEMBER AND MAY WHEN EQUIVALENT EXCHANGE WATER HAS BEEN OR WILL BE RELEASED FROM THE MADERA CANAL AND PROVIDED FURTHER THAT A MINIMUM POOL OF 5,000 ACRE-FEET SHALL BE MAINTAINED AT ALL TIMES FOR RECREATIONAL USE. (0000005)

6. THE AMOUNT AUTHORIZED FOR APPROPRIATION 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, 1980. (0000008)

9. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1990. (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. PERMITTEE SHALL TAKE ALL REASONABLE STEPS NECESSARY TO MINIMIZE WASTE OF WATER, AND MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) 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. AT ANY TIME AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THE BOARD MAY IMPOSE SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT, WITH A VIEW TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. (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. PERMITTEE SHALL INSTALL AND MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS PERMIT MAY BE RELEASED. (0050043)

15. THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS PERMIT FOR THE PURPOSE OF CONFORMING THE SEASON OF DIVERSION TO LATER FINDINGS OF THE BOARD ON PRIOR APPLICATIONS INVOLVING WATER IN THE SACRAMENTO RIVER BASIN AND DELTA. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR HEARING. (0050080)
16. IN ACCORDANCE WITH THE REQUIREMENTS OF WATER CODE SECTION 1393, PERMITTEE SHALL CLEAR THE SITE OF THE PROPOSED RESERVOIR OF ALL STRUCTURES, TREES AND OTHER VEGETATION WHICH WOULD INTERFERE WITH THE USE OF THE RESERVOIR FOR WATER STORAGE AND RECREATIONAL PURPOSES. (0120050)
17. STORAGE OF WATER UNDER THIS PERMIT, WHICH OCCURS BY REASON OF FURNISHING A SUBSTITUTE SUPPLY OF WATER TO OWNERS OF PRIOR DOWNSTREAM WATER RIGHTS, SHALL NOT CONSTITUTE AN ABANDONMENT OR LOSS OF THE DOWNSTREAM OWNERS' RIGHTS, NOR CREATE A RIGHT TO STORE WATER HEREUNDER WHEN A SUBSTITUTE SUPPLY IS NOT FURNISHED THE DOWNSTREAM OWNER UNDER AN EXISTING CONTRACT WITH SAID OWNER. (0000800)
18. THIS PERMIT SHALL BE SUBJECT TO APPROPRIATIONS BY STORAGE UPSTREAM FROM HIDDEN RESERVOIR WITH A PRIORITY SUBSEQUENT TO MAY 22, 1959 FOR STOCKWATERING AND RECREATIONAL PURPOSES, PROVIDED THE INDIVIDUAL CAPACITY OF RESERVOIRS FOR SUCH PURPOSES DOES NOT EXCEED 10 ACRE-FEET AND THE RESERVOIRS ARE KEPT FREE OF PHREATOPHYTES. (0230800)
19. IN ADDITION TO THE RESERVATION IN THE PRECEDING PARAGRAPH, THIS PERMIT SHALL BE SUBJECT TO DEPLETION OF FLOW INTO HIDDEN RESERVOIR OF 2,000 ACRE-FEET PER ANNUM BY UPSTREAM APPROPRIATIONS WITH A PRIORITY SUBSEQUENT TO MAY 22, 1959. (0230800)
20. THE BOARD RESERVES JURISDICTION OVER THIS PERMIT FOR THE PURPOSE OF APPROVING TERMS AND CONDITIONS OF AGREEMENTS AUTHORIZING SUBSTITUTION OF MADERA CANAL WATER FOR FRESNO RIVER WATER WHICH HAVE BEEN FORMULATED BY THE PARTIES FOR PROTECTION OF EXISTING DOWNSTREAM WATER RIGHTS. PERMITTEE SHALL SUBMIT TO THE BOARD AGREEMENTS REACHED WITH OWNERS OF DOWNSTREAM RIGHTS TO THE FLOW OF THE FRESNO RIVER. THE BOARD MAY, AT ANY TIME, ON ITS OWN MOTION OR AT THE REQUEST OF PROTESTANTS OR INTERESTED PARTIES, HEAR, REVIEW, AND MAKE SUCH FURTHER ORDER AS MAY BE NECESSARY. (0000600)
21. THE PLACE OF USE OF THE WATER APPROPRIATED FOR IRRIGATION SHALL BE RESTRICTED TO THE AREA WITHIN THE EXISTING MADERA IRRIGATION DISTRICT BOUNDARIES AS SHOWN BY MAP NOW ON FILE WITH THE STATE WATER RESOURCES CONTROL BOARD. NO EXPANSION OR CHANGE IN THE PLACE OF USE WILL BE GRANTED UNTIL PERMITTEE PROVIDES SATISFACTORY EVIDENCE THAT UNDERLYING GROUND WATER SOURCES ARE NOT OVERDRAWN. (0000300)

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: APR 3 1973

STATE WATER RESOURCES CONTROL BOARD

*K. L. Woodward*  
Chief, Division of Water Rights