

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

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 16619

Application 23849 of TRIMONT WATER COMPANY *(over)*
55 FRANCISCO STREET, SAN FRANCISCO, CALIFORNIA 94133

filed on AUGUST 19, 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:
A. <u>UNNAMED STREAM</u>	<u>WEST MARTIS CREEK</u>
B. <u>WEST MARTIS CREEK</u>	<u>MARTIS CREEK THENCE</u>
	<u>TRUCKEE RIVER</u>

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
<u>DIRECT DIVERSION</u>					
A. <u>SOUTH 2,200 FEET AND WEST 2,880 FEET FROM NE CORNER OF SECTION 8</u>	<u>SE1/5 OF NW1/4</u>	8	16N	17E	MD
<u>STORAGE</u>					
B. <u>NORTH 580 FEET AND WEST 1,750 FEET FROM SE CORNER OF SECTION 5</u>	<u>SW1/4 OF SE1/4</u>	5	16N	17E	MD

County of PLACER

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
<u>RECREATIONAL</u>	<u>RESERVOIR A IN SW1/4 OF SE1/4</u>	5	16N	17E	MD	
<u>MUNICIPAL</u>	<u>SERVICE AREA OF 16,352 ACRES IN</u>					
	<u>SECTION 2 THROUGH 9 & 18</u>		16N	17E	MD	
	<u>SECTION 15, 21 THROUGH 36</u>		17N	17E	MD	
	<u>SECTION 1,2,3,11 THROUGH 14 23 & 24</u>		16N	16E	MD	

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 (A) 2.2 CUBIC FEET PER SECOND BY DIRECT DIVERSION TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR AND (B) 180 ACRE-FEET PER ANNUM BY STORAGE TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO MAY 31 OF THE SUCCEEDING YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER THIS PERMIT, TOGETHER WITH THAT DIVERTED UNDER PERMITS PURSUANT TO APPLICATIONS 22822, 22823, AND 23851 SHALL NOT EXCEED 2.5 CUBIC FEET PER SECOND BY DIRECT DIVERSION, 710 ACRE-FEET PER YEAR DIVERSION TO STORAGE, AND A TOTAL COMBINED AMOUNT BY DIRECT DIVERSION AND STORAGE OF 1,206 ACRE-FEET PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30.

6. NO EXTENSIONS OF TIME BEYOND DECEMBER 1, 1985, TO COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE ALLOWED WITHOUT A HEARING BEFORE THE STATE WATER RESOURCES CONTROL BOARD.

THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE.

7. THE AMOUNT AUTHORIZED FOR APPROPRIATION MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS. (0000005)
(0000006)

8. SAID CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1976. (0000008)

9. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1985. (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 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.

THIS 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) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL 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. 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)

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 RESERVOIR SHALL BE KEPT OPEN TO THE PUBLIC FOR RECREATIONAL USE, SUBJECT TO REASONABLE CHARGE FOR ANY SERVICES OR FACILITIES THAT ARE PROVIDED BY PERMITTEE. FAILURE TO ALLOW PUBLIC ACCESS MAY RESULT IN REVOCATION OF THE PERMIT OR REDUCTION IN THE AMOUNT OF WATER THAT MAY BE STORED. (0030045)

14. IN COMPLIANCE WITH FISH AND GAME CODE SECTION 5943, PERMITTEE SHALL ACCORD TO THE PUBLIC, FOR THE PURPOSE OF FISHING, REASONABLE RIGHT OF ACCESS TO THE WATERS IMPOUNDED BY THIS DAM DURING THE OPEN SEASON FOR THE TAKING OF FISH, SUBJECT TO THE REGULATIONS OF THE FISH AND GAME COMMISSION. (0030064)
15. 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)
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. IF THE STORAGE DAM WILL BE OF SUCH SIZE AS TO BE WITHIN THE JURISDICTION OF THE DEPARTMENT OF WATER RESOURCES AS TO SAFETY, CONSTRUCTION SHALL NOT BE COMMENCED UNTIL THE DEPARTMENT HAS APPROVED PLANS AND SPECIFICATIONS. (0360048)
18. 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)
19. NO WATER SHALL BE USED UNDER THIS PERMIT UNTIL THE PERMITTEE HAS FILED A REPORT OF WASTE DISCHARGE WITH THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN REGION, PURSUANT TO WATER CODE SECTION 13260, AND THE REGIONAL BOARD OR THE STATE WATER RESOURCES CONTROL 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)
20. 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, LAHONTAN REGION, OR BY THE STATE WATER RESOURCES CONTROL BOARD. (0000100)
21. NO WATER SHALL BE APPROPRIATED UNTIL THE PERMITTEE HAS ESTABLISHED A PERMANENT ORGANIZATION WHICH WILL, TO THE BOARD'S SATISFACTION, PROPERLY OPERATE AND MAINTAIN THE PERMITTEE'S WATER SUPPLY SYSTEM. (0000028)

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 permittee 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: FEB 21 1974

STATE WATER RESOURCES CONTROL BOARD

R. L. Rosenberger
Acting Chief, Division of Water Rights