

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

ORDER

APPLICATION 27290 PERMIT 20072 LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

WHEREAS:

1. Permit 20072 was issued to Maz Properties, Inc. dba El Rancho Tajiguas on May 11, 1987, pursuant to Application 27290.
2. A petition for an 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 (Board).
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

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

December 31, 2001

(0000009)

Dated: **NOVEMBER 25 1991**

for 
Edward C. Anton, Chief
Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 20072

Application 27290 of Maz Properties, Inc. dba El Rancho Tajiguas
 14000 Calle Real, Goleta, California 93117

filed on April 12, 1982, 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:

- | | |
|--------------------|----------------|
| (1) Tajiguas Creek | Pacific Ocean |
| (2) Leon Canyon | Tajiguas Creek |
| | |
| | |
| | |

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
<u>Diversion to Offstream Storage</u> (1) North 51° West 2,900 feet from SE corner of Section 23	NW¼ of SE¼	23	5N	31W	SB
<u>Storage Leon Canyon Reservoir</u> (2) North 20° East 3,250 feet from SW corner of Section 26	SW¼ of NW¼	26	5N	31W	SB

County of Santa Barbara

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
Irrigation	NE¼ of SW¼	35	5N	31W	SB	10
	SE¼ of SW¼	35	5N	31W	SB	10
	SW¼ of SW¼	35	5N	31W	SB	2
	NE¼ of NW¼	35	5N	31W	SB	20
	SE¼ of NW¼	35	5N	31W	SB	10
	NW¼ of NE¼	35	5N	31W	SB	10
					Total	62

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 total of 106 acre-feet per annum to be collected from November 1 of each year through April 15 of the succeeding year to be stored as follows:

- a. 49 acre-feet per annum in onstream Leon Canyon Reservoir; and
- b. 1.5 acre-feet per annum in offstream Reservoir 550,
- c. 8.5 acre-feet per annum in offstream Reservoir 680,
- d. 18 acre-feet per annum in offstream Reservoir 500,
- e. 29 acre-feet per annum in offstream Reservoir 870. (0000005)

The maximum rate of diversion to offstream storage shall not exceed 3 cubic feet per second. (0000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)

7. Complete application of water to the authorized use shall be made by December 31, 1989. (0000007)

8. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000010)

9. 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)

10. 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)

11. 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)
12. Permittee shall bypass a minimum of 30 gallons per minute as measured at a point approximately 100 feet downstream from the point of diversion on Tajiguas Creek, or the natural stream flow, whichever is less. (0190400)
13. Permittee shall install and maintain a device satisfactory to the State Water Resources Control Board to measure the bypass flow required by this permit. (0050400)
14. a. Within six months of the date of issuance of this permit, permittee shall submit a Riparian Vegetation Preservation and Maintenance Plan to the Division of Water Rights. The Plan shall include:
- (1) A map delineating the existing riparian corridor of Tajiguas Creek from the point of diversion to Highway 101. The riparian corridor shall include all areas currently exhibiting riparian vegetation, or in areas not vegetated, shall consist of the stream channel from channel bank to channel bank at high water. The map shall show all existing man-made facilities and modifications within the riparian corridor including road-crossings, drainage outlets, riprap, other channel modifications, or fencing. The map shall delineate areas where vegetation modifications or manipulation have occurred in the course of agricultural operations. The map shall identify current land use along the riparian corridor.
 - (2) A description of agricultural activities to be conducted within the riparian corridor. This will include stock crossings, stockwatering areas, areas where riparian vegetation will be managed for flood control or cold air drainage management.
 - (3) A description of management techniques to be employed to preserve and maintain the riparian vegetation in conducting agricultural activities within the riparian corridor.
- b. If the Chief of the Division of Water Rights finds the Plan to be inadequate to preserve and maintain the riparian vegetation of Tajiguas Creek, the permittee shall be informed of the deficiencies and a specific method suggested to remedy deficiencies. The permittee shall resubmit the Plan within three months of being informed of the Plan's deficiencies. If the Chief of the Division of Water Rights finds the Plan to be inadequate after the second submittal, the matter shall be referred to the Board for hearing and further order, including possible revocation of the permit.
- c. Upon a finding that the Plan is adequate by the Chief of the Division of Water Rights, the Plan is incorporated by reference as a condition of this permit.

- d. After approval of the Plan, variations or modifications of the Plan may be made by the permittee after written notice of the proposal is received by the Chief of the Division of Water Rights, and a written finding of no objection from the Department of Fish and Game is received. If an objection is received from the Department, and the issue cannot be resolved by the permittee and the Department, the permittee may request a hearing before the Board on the proposed modification.

(0490500)

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: MAY 11 1987

STATE WATER RESOURCES CONTROL BOARD

Raymond Walsh

Chief, Division of Water Rights