

Rec'd late

State of California, State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

S015938
2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:
EL DORADO IRRIGATION DISTRICT

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:
EL DORADO IRRIGATION DISTRICT
2890 MOSQUITO RD
PLACERVILLE, CA 95667

Agent:
Address:

Phone No. 530-622-4513
Fax No.
E-mail Address:

Phone No.
Fax No.
E-mail Address:

Source Name: Stream at Flume 38
Tributary To: South Fork American River
County: El Dorado
Diversion within: SW 1/4 of NW 1/4 Section 32, T11N, R14E MDB&M

Year of First Use: 1872
Name of Diversion works:
Assessor Parcel Number of the Diversion site:

2008 MAR - 2 AM 11:42
DIVISION OF WATER RIGHTS

A. Water Is Used Under: Riparian claim \_\_\_ Pre-1914 claim \_\_\_ X Court Decree No.: \_\_\_ Other (explain): \_\_\_

B. Year of First Use: (Please provide if missing in the Division of Rights database (ewrims)) 1872 (1856 priority)

C. Rate of Diversion: The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) \_\_\_ Gallons per day (gpd) \_\_\_ Cubic feet per second (cfs) \_\_\_ X

Table with 14 columns: Year, Jan, Feb, Mar, Apr, May, June, July, Aug, Sept, Oct, Nov, Dec, Average Rate. Rows for 2005, 2006, 2007.

D. Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of:
Gallons \_\_\_ Million Gallons (MG) \_\_\_ Acre-feet (AF) \_\_\_ X

Table with 14 columns: Year, Jan, Feb, Mar, Apr, May, June, July, Aug, Sept, Oct, Nov, Dec, Total Annual. Rows for 2005, 2006, 2007.

E. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation Comm, ag & gardens acres; Stockwatering same; Domestic;
Other (specify) Municipal and industrial, power generation, fish and wildlife
Parcel Number(s) of Place of Use:

F. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)
none

G. Please answer only those questions below which are applicable to your project.
1. Conservation of water
a. Are you now employing water conservation efforts? YES X NO
Describe any water conservation efforts you have initiated:
b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:  
Year 2005 2500 (AF/MG) Year 2006 2514 (AF/MG) Year 2007 2549 (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES  NO

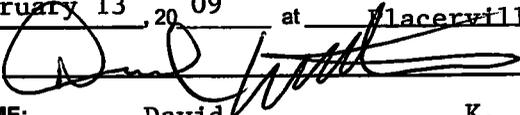
3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES  NO
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)  
I have data to support the above surface water use reductions due to the use of groundwater. YES  NO

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: February 13, 2009 at Placerville, California

SIGNATURE: 

PRINTED NAME: David K. Witter  
(first name) (middle initial) (last name)

COMPANY NAME: El Dorado Irrigation District

ITEM \_\_\_\_\_ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.  
CONTINUATION

\_\_\_\_\_ see attached  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

- G.1.a. The District is currently implementing water conservation best management practices, including all urban measures reported in our Urban Water Management Plan 2005 Update; and all agricultural measures reported in our USBR Five-Year Water Management Plan Update.
- G.1.b. Reduction/substitution volumes are District-wide and not attributable solely to this right.



# State Water Resources Control Board



## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000  
Fax: 916.341.5400 ♦ [www.waterrights.ca.gov](http://www.waterrights.ca.gov)

**Linda S. Adams**  
Secretary for  
Environmental Protection

**Arnold Schwarzenegger**  
Governor

In Reply Refer  
to:300:BR:S015937-41

**Mailed**  
February 25, 2008

El Dorado Irrigation District  
C/o Thomas D. Cumpston  
2890 Mosquito Road  
Placerville, CA 95667

STATEMENTS OF WATER DIVERSION AND USE NOS. S015937 THROUGH S015940 FOR DIVERSION FROM UNNAMED STREAMS TRIBUTARY TO SOUTH FORK AMERICAN RIVER IN EL DORADO COUNTY AND S015941 FOR DIVERSION FROM CAPLES LAKE TRIBUTARY TO CAPLES CREEK IN ALPINE COUNTY

A recent review of the Division of Water Right's (Division) records indicates that you might not have received acknowledgement of your Statements of Water Diversion and Use (Statements) received on January 3, 2006. Your Statements have been assigned identification numbers S015937, S015938, S015939, S015940 and S015941. These numbers should be referenced in all correspondence with the Division regarding the Statements. Please notify the Division of any change in ownership or mailing address.

A Supplemental Statement of Water Diversion and Use (Supplemental Statement) will be mailed to you every three years, and must be filed with the Division prior to July 1 of that year. There is no fee for filing a Supplemental Statement. The submittal of a Supplemental Statement is a record of your water use. It is used by the Division to verify existing data and to notify you of water right matters related to your [riparian, pre-1914] claim.

If you have questions or concerns regarding this matter, please contact me at (916) 341-5376 or at [brigby@waterboards.ca.gov](mailto:brigby@waterboards.ca.gov).

Sincerely,

**ORIGINAL SIGNED BY:**

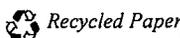
Bill Rigby  
Engineering Associate  
Data Management Unit

Enclosure: Copies of First Statements

U:\Herdrv\DMU\STATEMENTS\Backlog\1st notices\S015937-41 EID Bklg 1st Stmt  
ltr.doc

RNAME  
BR  
2/25/08

*California Environmental Protection Agency*



STATEMENT OF WATER DIVERSION & USE

5015938

CLAIMANT: EL TRAPIDO IRRIGATION DISTRICT

FILE NUMBER: \_\_\_\_\_ NAME INDX(S): \_\_\_\_\_

CLAIM(S) RECEIVED BY: MAIL  OC \_\_\_\_\_ DATE REC'D: 1-3-06

ACCEPT:  RETURN: \_\_\_\_\_ STREAM CODE: 0004 00 008

QUAD MAP CODE: 6060 QUAD MAP NAME: RIVERTON

CALIF COORD: ZONE 2 N 402,200 E 2,444,150

REMARKS: UNST TRIB TO SOUTH FORK OF AMERICAN RIVER

ENTERED EWRIMS 2/20/08  
PARTY ID - 401810

State of California  
 State Water Resources Control Board  
 DIVISION OF WATER RIGHTS  
 1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814  
 P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

8015938

RESOURCES  
 JUL BOARD

JAN-3 PM 12:48

**STATEMENT OF WATER DIVERSION AND USE**

DIV. OF WATER RIGHTS  
 SACRAMENTO

(This is not a Water Right)

This Statement should be typewritten or legibly written in ink and submitted to the address above.  
 A separate statement should be filed for each point of diversion. A duplicate copy will be returned for your file.

A. Name of person diverting water El Dorado Irrigation District  
 Address 2890 Mosquito Road  
Placerville, CA 95667 Telephone: (530) 622-4513

B. Water is used under: Riparian claim; \_\_\_\_\_ Pre 1914 right; XXXXX Other (explain) \_\_\_\_\_

C. Name of the body of water at the point of diversion  
Stream at Flume 38  
 Tributary to South Fork American River

D. Point of diversion is located within El Dorado County on Assessors Parcel # 011-05-06, being within the SW 1/4 of NW 1/4 of Section 32, of Township 11N, Range 14E, MD B&M.  
 Name of works El Dorado Canal

E. Do you own the land at the point of diversion? Yes \_\_\_ NO XX The name and address of the owner of the land is:  
United States of America, Eldorado National Forest, 100 Forni Road, Placerville, CA 95667

F. Capacity of diversion works 10 cfs (cfs, gpm, or gpd) Capacity of storage tanks or reservoir n/a (gallons or acre-feet)  
 Type of diversion facility: Gravity XXX Pump \_\_\_\_\_  
 Method of measurement: Weir \_\_\_\_\_ Flume \_\_\_\_\_ Electric Meter \_\_\_\_\_ Estimate XXX (observation)

G. Enter the amount (or approximate amount) of water used each month.  
 Amounts below are shown in: Gallons \_\_\_\_\_ Acre-feet XX Other \_\_\_\_\_

Year	Jan 05	Feb 05	Mar 05	Apr 05	May 05	June 05	July 05	Aug 05	Sept 05	Oct 04	Nov 04	Dec 04	Total Annual
2005*	13.33	13.33	13.33	13.33	0.54	0.54	0	0	0	0	13.33	13.33	81.1

H. Annual water use in recent years: Maximum 81.1 af (gallons or acre-feet) Minimum 0 af (gallons or acre-feet)  
 Year of first use (nearly as known) 1872 (1856 priority)

I. Purpose of use: What is the water being used for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Irrigation (commercial agriculture, gardens), stockwatering, municipal and industrial, power generation, fish and wildlife.

J. General description or location of place of use (example: 40 acres of pasture located 3 miles from Happyville on Alpha Road) Akin Powerhouse; northern and western portions of EID service area -- see attached map.

K. Map: Please locate the point of diversion and place of use on a print of a USGS quad map, or make a sketch on the section grid provided on the reverse side of this form. The sketch should identify the section lines, prominent local landmarks and roads, your point of diversion, and your place of use (your house, acreage irrigated, etc.). **See attached point of diversion and place of use maps.**

L. Please answer only those questions below which are applicable to your project.  
 \*Water year (10/1/04 - 9/30/05)

Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

1. Conservation of water
  - a. Describe any water conservation efforts you may have started: Conservation measures for all District users per UWMP and USBR Water Conservation Plan (all applicable BMPs).
  
2. Water quality and wastewater reclamation
  - a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO

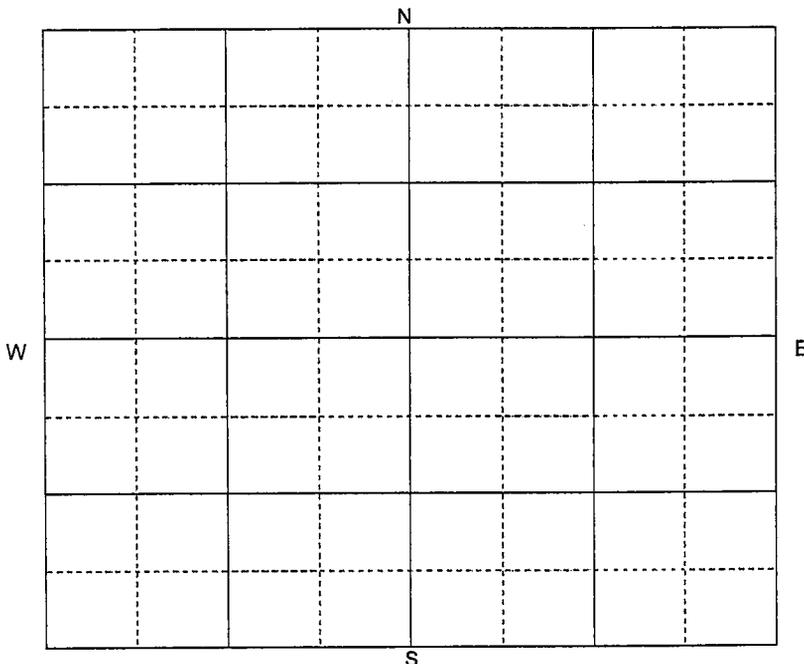
I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATE: December 29, 2007 at Placerville, California

SIGNATURE: *Thomas D. Cumpston*

PRINTED NAME: Thomas D. Cumpston  
 (first name) (middle init.) (last name)

COMPANY NAME: El Dorado Irrigation District



**Not used - see attached map.**

The location of the diversion point and the place of use may be sketched on the section grid provided. If it is used, please enter the section(s), township, range and the base & meridian below. Also, show any streams or other landmarks that will assist in identifying the area.

Section(s) \_\_\_\_\_

Township \_\_\_\_\_

Range \_\_\_\_\_

\_\_\_\_\_ B&M

**GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA**

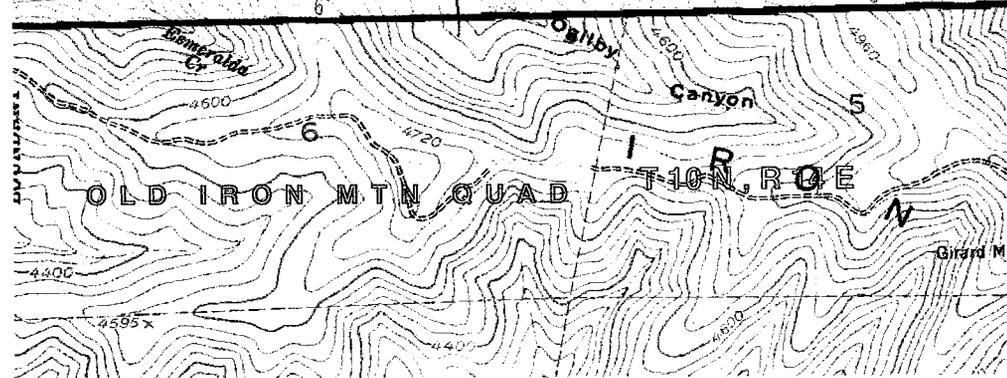
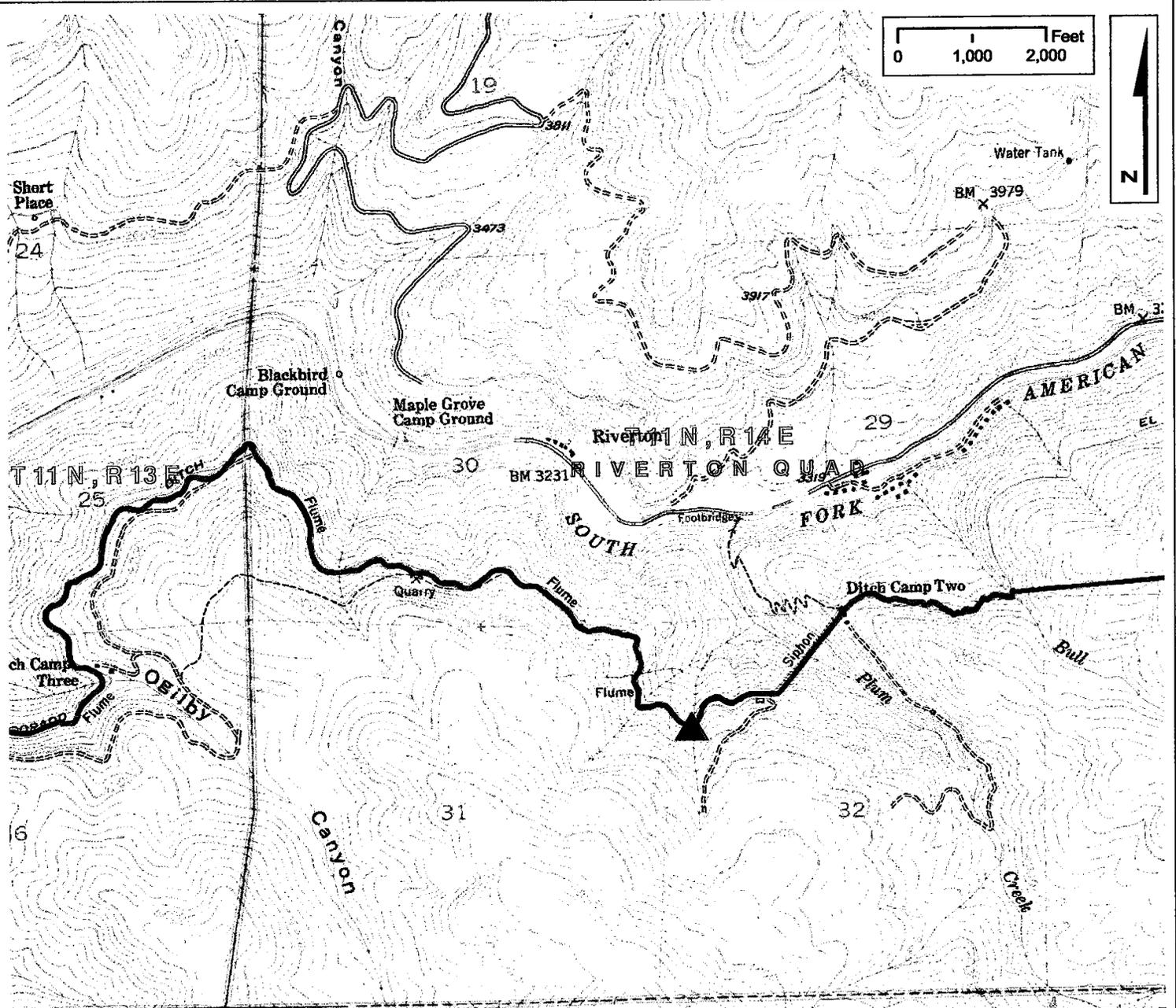
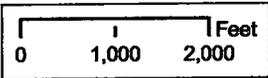
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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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**Legend**

**Diversion Point Location & Name**

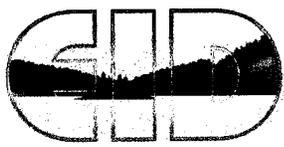
-  Stream at Flume 38
-  El Dorado Canal
-  USGS 7.5 Quad Boundary

Map production and data management by:



**PRICE  
GEOGRAPHIC  
CONSULTING**

2004 Adobe Trail ~ Placerville, California 95667  
(530) 626-1964 ~ at\_price@pacbell.net



**EL DORADO IRRIGATION DISTRICT**  
2890 Mosquito Road, Placerville, CA 95667  
(530) 622-4513 Ph., (530) 622-8569 Fax

**EL DORADO  
IRRIGATION DISTRICT  
WATER DIVERSION LOCATION MAP**

**Diversion Name: Stream at Flume 38**

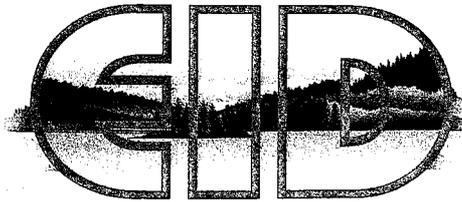
USGS Quad Name: Riverton  
Location: Township 11 N., Range 14 E., Section 32, MDB&M  
COUNTY OF EL DORADO, STATE OF CALIFORNIA

Date: August 18, 2005

5015938

John P. Fraser - President  
Division 2

Harry J. Norris - Vice President  
Division 5



## El Dorado Irrigation District

SJW

Ane D. Deister  
General Manager

Thomas D. Cumpston  
General Counsel

8015938

In reply refer to: L1005-107

December 30, 2005

Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
2006 JAN -3 PM 12:47

Re: Statements of Water Diversion and Use

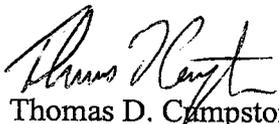
Dear Sir or Madam:

Please find enclosed one original and one copy of initial Statements of Water Diversion and Use for the five following pre-1914 appropriative water rights:

- Stream at Flume 2A
- Stream at Spillway 8
- Stream at Flume 38
- Bull Creek
- Caples Lake

Please return a file-endorsed copy to the undersigned.

Sincerely,

  
Thomas D. Cumpston  
General Counsel

TDC:pj

Enclosure

cc: Rob Donlan, Esq. (w/ encl.)  
David Witter (w/ encl.)  
Bill Slightam (w/ encl.)