1 2 3 4	KENN JOHN STAT 1001 I Sacrai	REW TAURIAINEN (SBN 214837) NETH PETRUZZELLI (SBN 227192) PRAGER (SBN 289610) E WATER RESOURCES CONTROL BOARD Street, 16 <sup>th</sup> Floor mento, CA 95814
5		916) 319-8577 916) 341-5896
6	Attorn	neys for the Prosecution Team
7 8		BEFORE THE STATE WATER RESOURCES CONTROL BOARD
9 10	Liab Scott	pe matter of Administrative Civil policy Complaint issued against G. policy E Fahey and Sugar Pine Spring policy Er, LP policy Declaration of Kenneth Petruzzelli in Support of Prosecution Team Closing Brief
11 12		I, Kenneth Petruzzelli, declare as follows:
13	1.	I am an Attorney III (Specialist) with the Office of Enforcement of the State Water
14		Resources Control Board ("State Water Board"). I have been a practicing attorney since
15		2003, California Bar No. 227192. I joined the Office of Enforcement in 2015. I have
		represented the Prosecution Team as lead counsel in the matter of the Administrative Civil
16		Liability Complaint and Draft Cease and Desist Order issued against G. Scott Fahey and
17		Sugar Pine Spring Water, LP (collectively "Fahey") since about November 17, 2015, when
18		I replaced Andrew Tauriainen. Mr. Tauriainen still serves as co-counsel in the matter.
19	2.	Exhibit SWRCB-1, a Hearing Team staff exhibit, is the Division of Water Rights permit
20		file for Fahey's water right Applications A029977 and A031491. SWRCB-1 has been made
21		available to Fahey. It is my understanding that before I became involved in this case, the
22		Prosecution Team made the permit file available to his attorneys. On December 10, 2015, at
23		approximately 3:25 p.m., I even personally met with Mr. Daniel Cucchi, an attorney with
24		Abbott & Kindermann LLP, who was visiting the water right records room requesting to
	3	see anything new in the permit file.  Exhibit SWRCB-1 includes Fahey's progress reports by permittee. True and correct copies
25	J.	of the progress reports of permittee are attached to this declaration and marked as
26		Attachment 1.
27	4	Exhibit SWRCB-1, the correspondence file for A29977, volume 3, and a memorandum
28		from the Division of Water Rights, dated December 18, 2001, regarding the change in point

- of diversion from Cottonwood Spring to Sugar Pine Spring. A true and correct copy is attached to this declaration and marked as Attachment 2.
- 5. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter Mr. Fahey wrote to Mr. James Kassel of the Division of Water Rights, dated May 13, 1992, regarding his proposal to use groundwater as replacement water to prevent harm to the water rights and operations of the Turlock Irrigation District and the Modesto Irrigation District. A true and correct copy is attached to this declaration and marked as Attachment 3.
- 6. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter from Mr. Fahey to Yoko Mooring, of the Division of Water Rights, regarding negotiations to resolve the protest by the City and County of San Francisco, dated July 11, 1994. The letter includes an acknowledgment by Fahey that San Francisco considers any groundwater in the Tuolumne River Basin linked to Lake Don Pedro. A true and correct copy is attached to this declaration and marked as Attachment 4.
- 7. Exhibit SWRCB-1, includes the correspondence file for A29977, volume 2, and a letter Yoko Mooring mailed to Mr. Fahey on February 1, 1995 with an attached report regarding a field inspection conducted on September 29, 1994. A true and correct copy of the cover letter and attached report of field inspection is marked as Attachment 5 to this declaration. The attachments to the report have been omitted, because they are not immediately relevant, but they are included in SWRCB-1.
- 8. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter from Mr. William Van Dyck, of the Division of Water Rights, to Mr. Fahey, dated October 11, 1994, forwarding a "a copy of a legal counsel opinion on the need for a water right to divert developed water." The letter in the permit file lacks an attached legal counsel opinion. A true and correct copy is attached to this declaration and marked as Attachment 6.

I declare under penalty of perjury to the laws of the State of California that the foregoing is true and correct. Executed June 17, 2016, at Sacramento, California.

Kenneth Petruzzelli

$\begin{bmatrix} 1 \\ 2 \end{bmatrix}$	12 2 .	ice List nuary 5, 2016)
3	DIVISION OF WATER RIGHTS	G.SCOTT FAHEY AND SUGAR PINE
4	SWRCB Office of Enforcement Prosecution Team	SPRING WATER, LP Abbott & Kindermann, LLP
5	Kenneth P. Petruzzelli	Diane G. Kindermann
6	1001 I Street, 16th Floor Sacramento, CA 95814	Glen C. Hansen 2100 21 <sup>st</sup> Street
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	San Francisco, CA 94102	
26	jonathan.knapp@sfgov.org	
27		
28		

State Water Resources Control Board
DIVISION OF WATER RIGHT

P.O. Box 2000 SACRAMENTO, CA 95 \_\_\_-2000 901 P STREET. SACRAMENTO, C茶草

(916) 657-1364 FAX: (916) 657-1485



# PROGRESS REPORT BY PERMITTEE FOR 1 1 34 997

98 to 23 PM 1: 39

RECORD: G SCOTT FAHEY APPLICATION: A029977 G SCOTT FAHEY **PERMIT:** 020784 950 EAST RIVERPARK LN 2787 E. STONY FORK WAY BOISE, ID 83706 TELEPHONE NUMBER: (208) 334-4180×251 IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT. SOURCE: COUNTY: UNSP (AKA COTTONWOOD SPRING) DEADWOOD SPRING) TUOLUMNE PURPOSE: DIVERSION/STORAGE SEASON: ACRES/HP: JAN 01 TO DEC 31 / INDUSTRIAL 0 AC AMOUNT: 0.062 CFS **COMPLETE USE BY:** 12/31/1999 6,031/0,031 CFS IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: I am complying with the conditions under which my permit has been issued: YES [ \sqrt{] NO [ ]. Identify any noncompliance by permit term number under "Remarks" on reverse side. This report is important in providing the record of use needed in establishing your water right. It should be filled out carefully and returned promptly to the above address. THE PROJECT HAS BEEN ABANDONED AND I REQUEST REVOCATION OF THIS PERMIT: YES [ ]. CONSTRUCTION WORK 1. Has construction work commenced? YES [√] NO [ ]. Is construction completed? YES [ ] NO [√].

2. If incomplete, describe briefly the work done, including cost:  $\mathcal{V}$ EADWOOD DRING HAS BEEN DEVISIOPED AND DIVERTED @ 3. If not completed, give estimated date of completion: COTTONWOOD SPRING HAS NOT BEEN DE 4. What percent of construction work remains to be done? 30% Explain: DEVELOP AND DIVERT COTTON WOOD SPRING A PETITION FOR CHANGE HAS BEEN SUBMITTED TO DEVELOP AND DIVERT FROM ANNIE GREEN SPRING AND NO [ ]. Check appropriate box(es) below and explain how water was used. **USE OF WATER** 5. Has use of water commenced? YES [ (a) [ Irrigation 1 Municipal Approximate population (b) [ ] Stockwatering ] Recreational Boating, fishing, water contract sports Industrial Wholesale soring water to state certified (g) [ 1 Power generation Installed horsepower capacity 1 Other Private Water (d) [ Domestic Number of persons, area of garden, lawn, etc. 6. Amount of water used each month under this permit in gallons or acre-feet. (If not known, check months water was used.) Feb. Mar. May .lune July. Aug. Oct Nov. Dec Total Annual Sept. Appropriated 275,317 607,277 607,277 607,277 6,805,969 GAL 607,277607,277607,277 607,277607,277 607,277 457,879 607,277 DEVELOPED 184,881 48.857 243,073 1997

7. "Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [] NO [/].  8. Has location of the intake, place of use, or type of use been changed? YES [] NO [/]. Explain under "Remarks".  9. Did the source go dry? YES [] NO [/]. If so, during what months?  10. Did you reservoir split this year? YES [] NO []. If not, how many feet below spillway vertically was the water level at maximum storage?  11. Have you emptied the reservoir? YES [] NO []. If not, how many feet below spillway vertically was it drawn down at end of season.  21. Place Answer Only THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.  22. PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.  23. CONSERVATION OF WATER  11. Describe any water conservation efforts you may have started:  12. If credit toward beneficial use of water under this permit for water not used due to a conservation effort is claimed under Section 1011 of the Water Code, please show the amounts of water conserved (core-feet or mg):  24. Are you now or have you been using reclaimed water from a westewater treatment facility, desailnation facility, or water polituled by waste to a degree which unreasonably affects such water for other benefits uses? YES [] NO [/].  15. Are you now or have you been using reclaimed water from a westewater treatment facility, desailnation facility, or water polituled by waste to a degree which unreasonably affects such water for other benefits uses? YES [] NO [/].  16. If credit toward use under this permit through substitution or facilities weet; desaffined welter, or colluted water in lieu of appropriated water in lieu of surface water? YES [] NO [/]  16. If credit toward use under this permit through substitution of glowers well weets, or solutions water used:  17. The USE of Appropriated water in lieu of sur	USE	SE OF WATER (cont.)	
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7. The use of appropriated water in 1998 from Deadwood Spring is estimated to be 7,287,328 gallows.  The use of developed water in 1998 from Deadwood Spring is estimated to be 4,544,898 gallows.  I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:	- <u>*</u> * *		
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declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:			
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PERMITTEE (OR AGENT OR DESIGNEE)
PROGRESS REPORT BY PERMITTEE -PAGE 2

State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000 SACRAMENTO, CA 95812-2000 901 P STREET, SACRAMENTO, CA (916) 657-1364 FAX: (916) 657-1485

## PROGRESS REPORT BY PERMITTEE FOR

1998

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FEB 1 8 288 RAND TOTAL

DEADWOOD Spr. ONLY!

USE	E OF WATER (cont.)  ATTACHMENT 1
7.	Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] NO [ $$ ]. If "No", explain under "Remarks".
	Has location of the intake, place of use, or type of use been changed? YES [ 1] NO [ 1]. Explain under "Remarks".  Did the source go dry? YES [ ] NO [ 1]. If so, during what months?
STO	RAGE PROJECTS ONLY
10.	Did your reservoir spill this year? YES [ ] NO [ ]. If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? YES [ ] NO [ ]. If not, how many feet below spillway vertically wait drawn down at end of season?
PLE	ASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.
CON	SERVATION OF WATER
11.	Describe any water conservation efforts you may have started:
12.	If credit toward beneficial use of water under this permit for water not used due to a conservation effort is claimed under Section 1011 the Water Code, please show the amounts of water conserved (acre-feet or mg):(af/mg
WAT	ER QUALITY AND WASTEWATER RECLAMATION
13.	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 benefits uses? YES [ ] NO [ 1.5].
14.	If credit toward use under this permit through substitution of reclaimed water, desalinated water, or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show the amounts of reclaimed water used:(af/mg)
2011	
	JUNCTIVE USE OF SURFACE WATER AND GROUNDWATER  Are you now using groundwater in lieu of surface water? YES [ ] NO [√]
	If credit toward use under this permit through substitution of groundwater in lieu of appropriated water is claimed under Section 1011.5
10.	of the Water Code, please show the amounts of groundwater used:(af/mg)
MBR	ARKS (Identify the item you are explaining, additional pages may be attached.)  + is projected 15 million globlens will be divert for and sold in 1999, Once the second spring is
<u> </u>	eveloped and diverted, as much as 25 million gallons maybe sold by 2003.
• A	Petition for Change of Point of Diverision has been submitted to change the Cottonwood Spring POD
<u>_b</u>	an unnamed spring akz Annie's Green Spring.
l decl	are under penalty of perjury that the information in this report is true to the best of my knowledge and belief:
Dater	2/24/99 Signiteret Charles

PROGRESS REPORT BY PERMITTEE -PAGE 2

PERMITTEE (OR AGENT OR DESIGNEE)

State Water Resources Control Board **DIVISION OF WATER RIGHTS** P.O. Box 2000 SACRAMENTO, CA 95812-2000 901 P STREET, SACRAMENTO, CA

### (916) 657-1364 FAX: (916) 657-1485 PROGRESS REPORT BY PERMITTEE FOR

	•		1999
OWNER OF RECORD: G	SCOTT FAHEY		
	:	APPLI(	<b>CATION:</b> A029977
G SCOTT FAH			PERMIT: 020784
2787 STONY BOISE, ID 8		·-	20101
:			relephone number:
IF OWNER'S NAM	E/ADDRESS/PHONE NO. IS V	WRONG OR MISSING,	345-5170 PLEASE CORRECT.
SOURCE:		\ (	COUNTY:
UNSP (AKA COTTONWO	OD SPRING/Sugar Pine Spr	ina*)	TUOLUMNE
PURPOSE:	DIVERSION/STORAGE S		ACRES/HP:
INDUSTRIAL	JAN 01 TO DEC 31 /		0 AC
am complying with the conditions number under "Remarks" on revenued be filled out carefully and re	Sued subject to the conditions therein expression which my permit has been issued: rse side. This report is important in provieturned promptly to the above address.  IDONED AND I REQUEST REVOCATION	YES [ V ] NO [ ]. Identify ding the record of use needed	any noncompliance by permit term in establishing your water right. It
CONSTRUCTION WORK		, oror z	
1. Has construction work comr	nenced? YES [ 🗸 NO [ ]. Is construc	tion completed? YES [ ] NO	) [ <b>/</b> ]
2. If incomplete, describe brief	y the work done, including cost: Desowe	SPRING HAS BEEN DE	VEDPED! DIVERTED, @ A
3. If not completed, give estimate	ated date of completion: SUGAR PINE S SPRING; DIVERS n work remains to be done? 20% Explain	SPRING HAS BEEN DEVEL	OPED, IN LIEU OF COTTONWOOD
	n work remains to be done? <u>20%</u> Explain	EXISTING PIPELINE FR	ROM SUGAR PINESPRING TO ILE BELOW DEADWOOD SPRING
JSE OF WATER  5. Has use of water commence	ed? YES [✔] NO [ ]. Check appropri	ate hov(es) helow and explain I	now water was used
		e) [ ]. Municipal	
(b) [ ] Stockwatering		f) [ ] Recreational	
	Number of animals  ESALE OF SPRING WATER TO STATE (		Boating, fishing, water contract sports
CERTI	FIED BYTECEISE		Installed horsepower capacity
	mber of persons, area of garden, lawn, etc.	. , .	ER SOURCE OPERATOR, LIC. #86
6 Amount of water used each	month under this permit in gallons or acre-	-foot (If not known, check mont	he water was used \

POSIN !

Apr.

354,523 675,523 487,573

May

June

Feb.

SEP 0 1 2000

596,773 666,823 478,723 579,523 485,323 120,973 532,873 DEADWOOD SPRING DNU BOTH APPROP. \DEVELOPED 4P2009.56

TOTAL

Nov.

Oct.

Sept.

12,027,490 GALS

Total Annual

(Continues on reverse side)

7,287,324

USE	OF WATER (cont.)  ATTACHMENT 1
7.	Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] NO [ 1.4]. If "No", explain under "Remarks".
	Has location of the intake, place of use, or type of use been changed? YES [ ] NO [ √]. Explain under "Remarks".  Did the source go dry? YES [ ] NO [ √]. If so, during what months?
	RAGE PROJECTS ONLY
10.	Did your reservoir spill this year? YES [ ] NO [ ]. If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? YES [ ] NO [ ]. If not, how many feet below spillway vertically was it drawn down at end of season?
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PLE	ASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.  (Please note that future amendments to claims below will not be accepted)
CON	SERVATION OF WATER
11.	Describe any water conservation efforts you may have started:
12.	It you want to claim credit under Section 1011 of the Water Code for beneficial use of water under this permit for water not used due to a conservation effort, you must identify the amount of water conserved in the following space provided. The amount applicable to any claim shall be limited to the amount shown for the year on this report.
WAT	ER QUALITY AND WASTEWATER RECLAMATION
	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 benefits uses? YES [ ] NO [ ].
14.	If credit toward use under this permit through substitution of reclaimed water, desalinated water, or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show the amounts of reclaimed water used: (af/mg)
CON	JUNCTIVE USE OF SURFACE WATER AND GROUNDWATER
15.	Are you now using groundwater in lieu of surface water? YES [ ] NO [ \sqrt{j}]
16.	If credit toward use under this permit through substitution of groundwater in lieu of appropriated water is claimed under Section 1011.5 of the Water Code, please show the amounts of groundwater used:(af/mg)
REM. 7	ARKS (Identify the item you are explaining, additional pages may be attached.)  THE USE OF APPROPRIATED IN 2000 FROM DEADWOOD? SUGARPINE SPRINGS IS ESTIMATED TO BE
	14,574,648 GALS.
	THE USE OF DEVELOPED WATER IN 2000 FROM DEADWOOD ? SUGAR PINE 15 ESTIMATED TO BE
	5.425.352 GALS.
	·
l dec	lare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:
Date	d: 4/7/00 Sign Here: Scatt February
	PERMITTEE (OR AGENT OR DESIGNEE)
10/00	PROGRESS REPORT BY PERMITTEE -PAGE 2



DIVISION OF WATER RIGHTS
P.O. Box 2000 SACRAMENTO, CA 95812-2000
1001 I STREET, 14th FLOOR, SACRAMENTO, CA 95814
(916) 341-5300 FAX: (916) 341-5400

State Water Resources Control Board



2000

### PROGRESS REPORT BY PERMITTEE FOR

Owner of Record: G SCOTT FAHEY;

Jan.

613,200

Feb.

Apr.

May

June

339,600

613,200 1,226,400

July

Aug.

Change actition

Sept.

Oct.

Nov.

Dec.

1,226,400 1,127,250

**Total Annual** 

11,551,650 GAL

15.719.900 GAL

				ě.	
	8 K K K		* *		
				E	
3	G SCOTT FAHEY	Ap	plication No.: A02		
	2787 STONY FORK WAY		Password: 041		
	BOISE, ID 83706		Permit: 020		
			Phone Number: (20	8)345-5170	
,	*If the information above is wrong or missing	, please correct	i.		
	Source Name (Display up to the first four source		unty Name (First POD	3)	
	UNSP (AKA COTTONWOOD SPRENC) Sugar Pine Spring		olumne		
I	DEADWOOD SPRING	Tuc	olumne		
1	Purpose Di	verson Season	Storage Season	Acres	
		M/DD - MM/DD)	(MM/DD - MM/DD)	(ACE)	
	Industrial 1	/1 - 12 / 31	0 / 0 - 0 / 0	日	
			CO	A = 87	
1	Max DD Appl: .062 CFS Max Store	ige: AC-FT	Ş.		
				= 6 511	
	G Grown		[1]	1 -D ON	
	SUGAR PINE SPANEY, DOLA	tron	ਰੋ	RESOURCES BATTO PHI 4: 05	
	2787 STONY FORM TER CO.	winde	/ v	吉 : ラミ	
	OISE, ID 83708	ement		SE 60	
INADO	DETABLE FUEDV pormit is issued subject to the conditions there	in averaged I begin a		VECT /I NO	ři
	<b>DRTANT!</b> EVERY permit is issued subject to the conditions there complying with the conditions under which my permit has been				T)
	ber under "Remarks" on reverse side. This report is importan				
	ld be filled out carefully and returned promptly to the above ad			J ,	
THE	PROJECT HAS BEEN ABANDONED AND I REQUEST REVO	CATION OF THIS PE	ERMIT: YES [ ].		
	ISTRUCTION WORK				
	Has construction work commenced? YES [ 1 NO [ ]. Is	construction complete	042 VEG [ /1 NO [ 1		
	2007 1000 1000 1000 1000 1000 1000 1000				
2.	If incomplete, describe briefly the work done, including cost:				
3.	If not completed, give estimated date of completion:			·	
4.	What percent of construction work remains to be done?	_ Explain:			
USE	OF WATER	* *			
	Has use of water commenced? YES [ $\sqrt{\ ]}$ NO [ ]. Check	appropriate hov(es) h	valow and explain how water	ar was used	
٥.					
	(a) [ ] Irrigation	(e) [ ] Mu	unicipalApproxim	ate population	
	(b) [ ] Stockwatering		oroational		
	Number of animals		Boating, f	fishing, water contract sport	s
	(c) [ / ] Industrial Wholesale of spring water to st certified water Nature of use buttlers	<u>ate</u> (g) [ ] Po	wer generation	led homonower consolt:	
	CN		Install her <u>Private Water Source</u>		don
	(d) [ ] Domestic	(n) [ \strice ] Oti	HEI TYIVZTE WATER JOURCE	LIC. 56096786	02:7
6.	Amount of water used each month under this permit in gallon		nown, check months water	was used.)	

<ol> <li>Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] No If "No", explain under "Remarks".</li> <li>Has location of the intake, place of use, or type of use been changed? YES [√] NO [ ]. Explain under "Remarks".</li> <li>Did the source go dry? YES [ ] NO [√]. If so, during what months?</li> </ol>	D [ V].
8. Has location of the intake, place of use, or type of use been changed? YES [√] NO [ ]. Explain under "Remarks".	
STORAGE PROJECTS ONLY	
10. Did your reservoir spill this year? YES [ ] NO [ ]. If not, how many feet below spillway vertically was the water level at storage? Have you emptied the reservoir? YES [ ] NO [ ]. If not, how many feet below spillway ve it drawn down at end of season?	maximun rtically was
PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.  (Please note that future amendments to claims below will not be accepted)	
CONSERVATION OF WATER	
11. Describe any water conservation efforts you may have started:	
12. If you want to claim credit under Section 1011 of the Water Code for beneficial use of water under this permit for water not us a conservation effort, you must identify the amount of water conserved in the following space provided. The amount applicable claim shall be limited to the amount shown for the year on this report. Future amendments to this claim will not be accepted.  [af/mg]	
WATER QUALITY AND WASTEWATER RECLAMATION	
13. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water pollu waste to a degree which unreasonably affects such water for other benefits uses? YES [ ] NO [ ].	ted by
14. If credit toward use under this permit through substitution of reclaimed water, desalinated water, or polluted water in lieu of appropria water is claimed under Section 1010 of the Water Code, please show the amounts of reclaimed water used:	
CON HINOTIVE LICE OF CUREAGE WATER AND ORGUNDWATER	
CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER  15. Are you now using groundwater in lieu of surface water? YES [ ] NO [√]	
16. If credit toward use under this permit through substitution of groundwater in lieu of appropriated water is claimed under Section of the Water Code, please show the amounts of groundwater used:(af/mg)	on 1011.5
REMARKS (Identify the item you are explaining, additional pages may be attached.)	
· Appropriated Use Deadwood Spring 7,308,825 GAL.	
Sugar Pine Spring 4,242,825	
· Developed Use Deadwood Spring 3.165,917	
Sugar Pine Spring 1,002,333	,
· A Petition for Change has been filed to change the location of PODy from an	unnamed
spring in Sec. 16 (aka Cottonwood Spring) to an unnamed spring in Sec. 22 of the same to	
Initially, within the Petition for Change, the unnamed spring in Sec. 22 was called out	
"Annie's Green Spring," however, due to U.S. Trademark issues the spring's aka name I been changed and is now referred to as Sugar Fine Spring.	145
I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief:	
Dated: 6/28/01 Sign Here: Scatt They	
PERMITTEE (OR AGENT OR DESIGNEE)	

PROGRESS REPORT BY PERMITTEE -PAGE 2

STATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS** P.O. Box 2000

**SACRAMENTO, CA 95812-2000** For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400



2001

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct. G SCOTT FAHEY;

APPLICATION NO.: A029977 PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: PERMIT NO.: 020784 **G SCOTT FAHEY** CONTACT PHONE NO.: (208)345-5170 2787 STONY FORK WAY FOR ONLINE REPORTING AT www.waterrights.ca.gov **BOISE, ID 83706** USER NAME: A029977 PASSWORD: C11198 PERMIT SUMMARY NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed) **PARCEL NO COUNTY LOCATION** Unnamed Spring (AKA COTTONWOOD SPRING) Sugar Pine Spring Tuolumne Tuolumne **DEADWOOD SPRING** Change Order does not specify MAX COLLECTION TO STORAGE AMOUNT: AC-FT MAX DIRECT DIVERSION RATE: [Cubic feet per second (CFS) or Gallons per day(GPD)] [Total reservoir(s) storage volume in acre-feet (AC-FT)] **COLLECTION TO STORAGE SEASON** PERMITTED USE(S) OF WATER **ACRES** DIRECT DIVERSION SEASON (month/day to month/day) (First 4 uses displayed below) (AC) (month/day to month/day) 0 AC 01/01 - 12/31 Industrial DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICAL USE OF WATER: 12/31/2011 COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important in providing the record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address. 1. [✔] YES [ ] NO I have currently reviewed my water right permit. 2. YES [] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side. 3. [ ] YES [ NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project. PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 require that permittee(s) exercise due diligence developing an appropriative water right project so that the project is completed within the time period specified in the permit. Time extensions may be authorized when there is good cause. CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS: [ ] REVOCATION - The project has been abandoned and I request revocation of the permit. PROJECT COMPLETE - The project has been completed. I have made full beneficial use as to diversion rate, amount, and season anticipated under the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued. PROJECT HAS NOT BEEN COMPLETED If the project has not been completed, please answer the following: [] YES [] NO Has construction work commenced? Is construction completed? [] YES [] NO b. [] YES [] NO Have the permitted beneficial uses of water commenced? C. Will the project be completed within the time period specified in the permit? d. [] YES [] NO Explain what work remains to be done:

Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

Page 10

i. [ ] Irrigation _		Acres			f.	[]	Municipa		Approx	dimate pop	ulation
. [ ] Frost Protection _		Acres			g.	[]	Domestic		of persons	s, lawn/gar	den area, etc.
. [] Heat Control	Moleyate o		i mater 1	to State	h.	[]	Power G	eneration_ Ir			/, MW, or hp
. M Industrial	ertified u	Specify	Hers	No.	i.	[]	Recreation	Bo	oating, fishir	ng, water c	contact sports
. [ ] Stockwatering _	No. 8	& type of an	imals		j.		Other		He Water Nos. 86		Operator 86127
MOUNT OF WATER USED: Amount of water used each				s or acre-fee	et. (If r	not kn	own, check			100000000000000000000000000000000000000	
Jan. Feb. March	April	May	June	July	Au	g.	Sept.	Oct.	Nov.	Dec.	Total Annual
1,226,400						-	1,226,400	1,174,900	472,500	641,250	13,325,850
363,300 127,190 419,100	83,100	494,850	5%,100	386,8%	245	100	69,600	-0-		-4-	2,781,190
b. [] YES [] NO H	rage projects lid your reser No, how mar	only: voir(s) spill ny feet belo itied the res	this year? w the spilly ervoir(s)?	way vertical	lly was	the w	rater level(s	s) at maxim	um storage	?	
PLEASE ANSWE	R ONLY THO	SE QUEST	IONS BEL		H ARE	APP	LICABLE	TO YOUR	WATER RIC		JECT.
										a annount c	of water claimed fo
ONSERVATION OF WATER: 0. [ ] YES [ ] NO During to	(Water Cod	vill deprive y le section 1 rered by this	ou of the l	benefits allo	plemer	nder t	the Water (	conservation	ns. n efforts? If	f YES, plea	se describe:
ONSERVATION OF WATER:  D. [] YES [] NO During to	(Water Cod	e section 1 ered by this	ou of the l	vere you imposserved to	plemer wards	nder t	the Water (	conservation	ns. n efforts? If	f YES, plea	se describe:
ONSERVATION OF WATER:  D. [] YES [] NO During to  1. If YES and you want to cla Water Code section 1011,	(Water Cod	e section 1 ered by this he amount the amount	(011) Report, wo	vere you imp	plemer wards pelow:	nder to	the Water (	conservation	ns. n efforts? If	f YES, plea	se describe:
ONSERVATION OF WATER:  D. [] YES [] NO During to the control of th	(Water Cod ne period cov im credit for ti please show pecify the am  EWATER RE te period cove	e section 1 ered by this he amount the amount ount in acre CLAMATIC ered by this	of water construction of water construction of water construction of water construction.  On: (Water Report, die R	vere you imposerved to conserved billion gallons or Code seed you use no	plemer wards pelow: s) Fut	nting at the ware are o10) ed ware	any water of any water of ater use at a ter from a	conservation thorized ur to this clai	ns.  n efforts? If  nder your pe  m will not be	ermit as allo	se describe:  owed under
ONSERVATION OF WATER:  0. [] YES [] NO During to  1. If YES and you want to cla Water Code section 1011,  (s)  VATER QUALITY AND WAST  2. [] YES [] NO During the desalination facility, or water	(Water Code to period covered to period covered to period covered period covered period covered period covered to period	the amount ount in acred by this ount in acred by this waste to a the substitute ection 1010	of water control of wat	pere you imposserved to conserved billion gallons or Code seed you use relained, reclaimed,	plemer wards below: s) Fut ction 1 eclaim onably	nting a the ware ar  o10) ed war affect nated	any water of any water of ater use at the water from a tts the water, or pollute	conservation thorized ur to this clai wastewater or for other in	ns.  n efforts? If  nder your pe  m will not be  treatment to	ermit as allo e accepted facility, wat ses?	owed under  I.  der from a
VATER QUALITY AND WAST 2. [] YES [] NO During the desalination facility, or water 3. If YES and you want to clarate your permit as allowed by the second sec	(Water Code to period covered to period covered to period covered period covered period covered period covered to period	the amount the amount ount in acred by this waste to a the substitute the substit	of water conference of wat	pere you imponserved to conserved by illion gallons or Code seed you use mich unrease reclaimed, how the am	plemer wards pelow: s) Fution 1 eclaim onably desalim ount c	nder to the way the wa	any water of ater use au mendments ater from a tts the water , or pollute aimed, des	conservation enthorized ur s to this clai wastewater or for other h d water in h allinated, or	ns.  n efforts? If  nder your pe  m will not be  treatment to  peneficial us  eu of the su  polluted wa	ermit as allo e accepted facility, wat ses? urface wate	se describe:  owed under  der from a  er authorized under
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ONSERVATION OF WATER:  O. [] YES [] NO During the second section 1011,  (Signature of the second section 1011,  (ATER QUALITY AND WAST 2. [] YES [] NO During the desalination facility, or water second second section 1011,  (Signature of the second second second section 1011, 5, please of the second sec	im credit for the please show pecify the ame period cover polluted by the ame credit for the please show pecify the ame period cover polluted by the ame period cover polluted shows the perio	the amount the amount in acred by this waste to a the substitute action 1010 acred by this waste to a the substitute action 1010 acred by this in acred by this action 1010 acred by this action 1010 acred by this acred by this acred by this the groundwarmount of gr	of water construction of this of water of water of water of water of the water of t	penefits allowere you imposserved to conserved be illion gallons or Code seed you use maich unrease reclaimed, how the amplification gallons over you use in lieu of the rused belowere you use in lieu of the rused belowere you impossed to the intervence you will be intervence you	plemer wards pelow: s) Fut ction 1 reclaim onably desali nount or s) Fut r Cod ing gro e surfa w:	nder to the way the wa	any water of any water of ater use at the water from a ats the water aimed, des mendments ater in lieu ater authoricater authoricater authoricater of the water o	conservation  thorized ur  to this clai  wastewater or for other in dialinated, or to this clai  to this clai  of the surfa  zed under y	n efforts? If n efforts? If nder your pe m will not b treatment to peneficial us eu of the su polluted wa m will not b ace water au	ermit as allowed as allowed	se describe:  owed under  der from a  er authorized under elow: d.  under your permit?
ONSERVATION OF WATER:  0. [] YES [] NO During the second of the second o	(Water Code ne period covered period perio	the amount the amount ount in acred by this waste to a the substitute the substitute the substitute the amount in acred by this waste to a the substitute the substitute the substitute the substitute the substitute that in acred by this he groundwarmount of grount in acredining; addit	of water control of water water used control of water used control of water water water used control of water wat	penefits allowere you imposserved to conserved be illion gallons or Code seed you use maich unrease reclaimed, how the amplification gallons in lieu of the rused belowere you using lieu of the rused belowere some allowere some	plemer wards pelow: s) Fut ction 1 eclaim onably desali nount c s) Fut er Cod ing gro e surfa w: s) Fut ttached	the wure ar affect affe	any water of any water of atter use at mendments atter from a atts the water in attended to a triangle of the attended to a triangle of triangle of the attended to a triangle of the attended to a triangle of tr	conservation conse	nefforts? If nefforts? If nder your pe m will not be treatment to peneficial us eu of the su polluted wa m will not be ace water au your permit	ermit as allowed as allowed e accepted uthorized u	se describe:  owed under  der from a  er authorized under elow: d.  under your permit? under Water
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PERMITTEE (OR AGENT / DESIGNEE)

PROGRESS REPORT BY PERMITTEE - PAGE 2

4/2002

#### Return completed Report to: STATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS**

P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 



ITT

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

2002 PROGRESS REPORT BY PERMITTEE FOR

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct. G SCOTT FAHEY;

> APPLICATION NO.: A029977 PERMIT NO.: 020784

CONTACT PHONE NO.: (208)345-5170

FOR ONLINE REPORTING AT www.waterrights.ca.gov

USER NAME: A029977 PASSWORD: D11198

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: G SCOTT FAHEY 2787 STONY FORK WAY **BOISE, ID 83706** 

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

Unnamed Spring (AKA COTTONWOOD SPRING) - Sugar Pine Spring **DEADWOOD SPRING** 

COUNTY LOCATION

Tuolumne Tuolumne

MAX DIRECT DIVERSION RATE: [Cubic feet per second (CFS) or Gallons per day(GPD)]

.062 CFS

MAX COLLECTION TO STORAGE AMOUNT:

AC-FT [Total reservoir(s) storage volume in acre-feet (AC-FT)]

PERMITTED USE(S) OF WATER

(First 4 uses displayed below)

ACRES

(AC)

DIRECT DIVERSION SEASON (month/day to month/day)

**COLLECTION TO STORAGE SEASON** 

(month/day to month/day)

Industrial

0 AC

01/01 - 12/31

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER:

12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [ YES [ ] NO I have currently reviewed my water right permit.

2. [YYES [] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.

3. [ ] YES [ NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit. Time extensions may be authorized for good cause.

CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- [ Y PROJECT COMPLETE The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- PROJECT HAS NOT BEEN COMPLETED []

If the project has not been completed, please answer the following:

[] YES [] NO Has construction work commenced? a.

[] NO Is construction completed? b. YES

- [] NO Have the permitted beneficial uses of water commenced? C. YES
- Will the project be completed within the time period specified in the permit? d. [] YES [] NO
- Explain what work remains to be done:
- Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the

Page 11 UG 1 4 2003

**ATTACHMENT 1** 

Page 12

	[ ] IrrigationAcres						f. [	Municipa	-	Approximate population				
[] +	rost Protection	n	Marie 1				g. [ ]	Domestic	tic					
	Heat Control			Acres			h. [	Power G	No eneration_	o. of person	s, lawn/gard	den area, etc.		
./.					water.	to			1	nstalled cap	acity in kW	, MW, or hp		
[4]  1	ndustrial	20	ate Cert	Specify	Dottlers		i. [			oating, fishi	ng, water o	ontact sports		
[] \$	Stockwatering	_	Na	& type of ar	imala		j. [v.	Other	tri	rate Wate	r Source	Operator		
MOUNT (	OF WATER U	SED: ed each		- A STATIC SALES		ons or [ ]	acre-feet:	See AH2		No. 86	CONF. 14 S	56127		
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PROGRESS REPORT BY PERMITTEE - PAGE 2

APPLICATION NO.: AO29977 PERMIT NO.: 020784

G SCOTT FAHEY 2787 STONY FORK WAY BOISE, ID 83706

MOUNT OF	WATER USED	:												
Amount of water	used each month unde	r this permit [)	() gallons or [ ]	acre-feet:									State of the state	
		January	February	March	April	May	June	July	August	September	October	November	December	2002 Total
	Total Used	621,000	560,250	540,000	1,336,500	1,599,750	1,404,000	1,464,750	1,248,750	999,000	1,235,250	972,000	1,221,750	13,203,000
Total Used from	m Deadwood Spring	30,920	0	0	441,045	527,918	463,320	732,375	624,375	467,210	617,625	481,488	610,875	4,997,152
Maximum D	Direct Diversion Rate	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	
Developed D	Direct Diversion Rate	0	0	0	0	0	0	123,429	15,429	0	8,679	0	1,929	149,466
Total Used fron	n Sugar Pine Spring	590,080	560,250	540,000	895,455	1,071,833	940,680	732,375	624,375	531,790	617,625	490,512	610,875	8,205,848
Maximum D	Direct Diversion Rate	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	
Developed D	Direct Diversion Rate	0	0	0	286,509	462,886	331,734	123,429	15,429	0	8,679	0	1,929	1,230,594

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TE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS** P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 



For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

### PROGRESS REPORT BY PERMITTEE FOR 2003

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct. APR -8 PM 12: 58 G SCOTT FAHEY:

APPLICATION NO.: A029977 PERMIT NO.: 020784 CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

G SCOTT FAHEY 2787 STONY FORK WAY **BOISE, ID 83706** 

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

PARCEL NO

COUNTY LOCATION

Tuolumne **Tuolumne** 

Unnamed Spring (AKA SUGAR PINE SPRING)

**DEADWOOD SPRING** 

MAX DIRECT DIVERSION RATE: [Cubic feet per second (CFS) or Gallons per day(GPD)]

.062 CFS

MAX COLLECTION TO STORAGE AMOUNT: [Total reservoir(s) storage volume in acre-feet (AC-FT)] AC-FT

PERMITTED USE(S) OF WATER

(First 4 uses displayed below)

**ACRES** 

DIRECT DIVERSION SEASON (month/day to month/day)

**COLLECTION TO STORAGE SEASON** 

(month/day to month/day)

Industrial

(AC) 0 AC

01/01 - 12/31

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER:

12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

 [VYES [] NO I have currently reviewed my water right permit.
 [VYES [] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side. 3. [ ] YES [ NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks"

on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit. Time extensions may be authorized for good cause

CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and 5. season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- PROJECT HAS NOT BEEN COMPLETED 6. []

If the project has not been completed, please answer the following:

[] YES Has construction work commenced? a.

[] NO [] NO YES Is construction completed? b.

- Have the permitted beneficial uses of water commenced? YES [] NO
- Will the project be completed within the time period specified in the permit? d. [] YES [] NO
- Explain what work remains to be done:
- Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

ATTACHMENT 1

BENEFICIAL USE(S) OF WATER: (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.) If your use of water has commenced, check the appropriate boxes below and explain how the water was used: [] Municipal [ ] Irrigation Acres Approximate population Frost Protection Domestic b. Acres No. of persons, lawn/garden area, etc. Heat Control Power Generation Installed capacity in kW, MW, or hp Acres )ah Industrial Recreational Specify Boating, fishing, water contact sports Stockwatering [] Other No. & type of animals Specify AMOUNT OF WATER USED: See Attached Amount of water used each month under this permit in [v] gallons or [ ] acre-feet: Oct **Total Annual** Jan Feb Mar Apr May Jun Jul Aug Sep Nov Dec STORAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.) Complete for long-term storage projects only: Did your reservoir(s) spill this year? [ ] YES [ ] NO If No, how many feet below the spillway vertically was the water level(s) at maximum storage? [ ] YES [ ] NO Have you emptied the reservoir(s)? If No, how many feet below the spillway vertically was the water level (s) at minimum storage? PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT. (Please note that future amendments to the claims below will not be accepted.) An appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that under certain conditions no reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, desalinated, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed for credit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections. CONSERVATION OF WATER: (Water Code section 1011) 10. [ ] YES [ ] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe: 11. If YES and you want to claim credit for the amount of water conserved towards the water use authorized under your permit as allowed under Water Code section 1011, please show the amount of water conserved below: (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted. WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010) 12. [ ] YES [ ] NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses? If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your permit as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below: (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted. CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5) 14. [] YES [] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your permit? 15. If YES and you want to claim credit for the groundwater used in lieu of the surface water authorized under your permit as allowed under Water Code section 1011.5, please show the amount of groundwater used below: (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted. REMARKS: (Identify the item you are explaining; additional pages may be attached.)

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

Signature: PERMITTEE (OR AGENT DESIGNEE)

Date: 04/03/04

Phone No: (208) 345-5170

MOUNT OF WATER USED:						
APPL. NO. A029977						
PERMIT NO. 020784						
	Jan. 03	Feb. 03	Mar. 03	Apr. 03	May. 03	June. 03
Total Gallons	1,262,095	1,309,500	1,167,750	1,167,750	1,086,750	1,404,000
Deadwood Spirng						
Total	631,048	608,918	426,229	525,488	499,905	624,780
Appropriated	611,520	608,918	426,229	525,488	499,905	611,520
Developed	19,528	-	=	-	-	13,260
Sugar Pine Spring						
Total	631,048	700,583	741,521	642,263	586,845	779,220
Appropriated	611,520	611,520	611,520	611,520	586,845	611,520
Developed	19,528	89,063	130,001	30,743	-	167,700
	July. 03	Aug. 03	Sept. 03	Oct. 03	Nov. 03	Dec. 03
Total Gallons	1,478,250	1,269,000	1,201,500	1,228,500	762,750	1,336,500
Deadwood Spirng					*	
Total	657,821	571,050	534,668	577,395	354,679	621,473
Appropriated	611,520	571,050	534,668	577,395	354,679	611,520
Developed	46,301	2	-	2	-	9,953
Sugar Pine Spring						
Total	820,429	697,950	666,833	651,105	408,071	715,028
Appropriated	611,520	611,520	611,520	611,520	408,071	611,520
Developed	208,909	86,430	55,313	39,585	-	103,508

#### STATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS** P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 



For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

PROGRESS REPORT BY PERMITTEE FOR

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2005 MAR 28 PM 1: 07

2004

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PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: G SCOTT FAHEY 2787 STONY FORK WAY

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

PARCEL NO

**COUNTY LOCATION** 

**Tuolumne** Tuolumne

Unnamed Spring (AKA SUGAR PINE SPRING) **DEADWOOD SPRING** 

**BOISE, ID 83706** 

MAX DIRECT DIVERSION RATE: .062 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]

MAX COLLECTION TO STORAGE AMOUNT: [Total reservoir(s) storage volume in acre-feet (AC-FT)] AC-FT

PERMITTED USE(S) OF WATER (First 4 uses displayed below)

ACRES (AC)

DIRECT DIVERSION SEASON (month/day to month/day)

**COLLECTION TO STORAGE SEASON** 

(month/day to month/day)

Industrial

0 AC

01/01 - 12/31

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [ YES [ ] NO I have currently reviewed my water right permit.
2. YES [ ] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.

3. [ ] YES [ NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

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- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
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- PROJECT HAS NOT BEEN COMPLETED

If the project has not been completed, please answer the following:

[] YES [] NO Has construction work commenced?

[] NO [] YES Is construction completed? b.

Have the permitted beneficial uses of water commenced? YES ] NO

Will the project be completed within the time period specified in the permit? d. [] YES [] NO

Explain what work remains to be done:

Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

**ATTACHMENT 1** 

TOTAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered complete for long-term storage projects only:  a. [] YES [] NO Did your reservoir(s) Spill this year?  If No, how many feet below the spillway vertically was the water level(s) at maximum storage?  D. [] YES [] NO Have you empted the reservoir(s)?  If No, how many feet below the spillway vertically was the water level (s) at minimum storage?  PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT. (Please note that future amendments to the claims below will not be accepted.)  In appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies the noder contain conditions in reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, essalineded, or pacified water, and/or (c) conjunctive uses of groundwester and surface water. You must report the extent and amount of water claim redit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.  CONSERVATION OF WATER: (Water Code section 1011)  0. [] YES [] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:  (specify the amount in acre-feet or million gallons). Future amendments to this claim will not be accepted.  VATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)  2. [] YES [] NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for the beneficial uses?  3. If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your permit as allowed under Your permit as allo	Frost Protection	No. of person Installed cap Boating, fishi  Nov	ns, lawn/gai pacity in kV ing, water of Specify	den area, etc.
Heat Control   Heat Control   Heat Control   Heat Capacity in KW, MW, or high Industrial   Specify   I   Other   Specify   I   Other   Specify   Specify   I   Other   Specify   Specify   Specify   I   Other   Specify   Speci	Industrial    Specify   Stockwatering   Specify   Specify   Stockwatering   Specify   Stockwatering   Specify	Installed cap Boating, fishi  Nov  our permit for	pacity in kV ing, water of Specify	V, MW, or hp contact sports
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Specify  No. 8 type of animals  No. 1 YES [] No. 10 type of animals  No. 8 type of animals  No. 1 type of animals	Specify  [ ] Stockwatering  No. & type of animals  MOUNT OF WATER USED:  Amount of water used each month under this permit in [ gallons or [ ] acre-feet:  Jan Feb Mar Apr May Jun Jul Aug Sep Oct  TORAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your complete for long-term storage projects only:  a. [ ] YES [ ] NO Did your reservoir(s) spill this year?  If No, how many feet below the spillway vertically was the water level(s) at max b. [ ] YES [ ] NO Have you emptied the reservoir(s)?  If No, how many feet below the spillway vertically was the water level (s) at min PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR	Nov our permit for	Specify	
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PROGRESS REPORT BY PERMITTEE - PAGE 2

2/2004

Page 19

2004		1				
MOUNT OF WATER USED	:					
APPL. NO. A029977						
PERMIT NO. 020784						
	Jan. 04	Feb. 04	Mar. 04	Apr. 04	May. 04	June. 04
Total Gallons	1,248,750	1,059,750	1,026,000	783,000	972,000	1,174,500
Deadwood Spring						
Subtotal	624,375	529,875	513,000		194,400	270,135
Appropriated	611,520	529,875	513,000		194,400	270,135
Developed	12,855	-	•	-	-	
Sugar Pine Spring						
Subtotal	624,375	529,875	513,000	783,000	777,600	904,365
Appropriated	611,520	529,875	513,000	611,520	611,520	611,520
Developed	12,855	-	-	171,480	166,080	292,845
	July. 04	Aug. 04	Sept. 04	Oct. 04	Nov. 04	Dec. 04
Total Gallons	1,215,000	1,373,827	1,068,642	941,530	987,718	1,129,050
Deadwood Spring						
Subtotal	522,450	590,746	448,829	357,781	395,087	553,235
Appropriated	522,450	590,746	448,829	357,781	395,087	553,235
Developed	-	•	-		-	
Sugar Pine Spring						
Subtotal	692,550	783,081	619,812	583,749	592,631	575,816
Appropriated	611,520	611,520	611,520	583,749	592,631	575,816
Developed	81,030	171,561	8,292			

### TATE WATER RESOURCES CONTROL BOARD **DIVISION OF WATER RIGHTS**

P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 



2005

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

### PROGRESS REPORT BY PERMITTEE FOR

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct. G SCOTT FAHEY:

APPLICATION NO.: A029977 PERMIT NO.: 020784 CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: **G SCOTT FAHEY** 2787 STONY FORK WAY **BOISE, ID 83706** 

#### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

PARCEL NO

COUNTY LOCATION

Tuolumne Tuolumne

Unnamed Spring (AKA SUGAR PINE SPRING) DEADWOOD SPRING

MAX DIRECT DIVERSION RATE:

.062 CFS

MAX COLLECTION TO STORAGE AMOUNT: [Total reservoir(s) storage volume in acre-feet (AC-FT)] AC-FT

[Cubic feet per second (CFS) or Gallons per day(GPD)]

**ACRES** (AC)

DIRECT DIVERSION SEASON

**COLLECTION TO STORAGE SEASON** 

PERMITTED USE(S) OF WATER (First 4 uses displayed below)

Industrial

AC 0

(month/day to month/day) 01/01 - 12/31

(month/day to month/day)

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING

COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER:

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [Y YES [ ] NO I have currently reviewed my water right permit.

2. YES [] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.

3. [] YES [] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit.

#### CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- 5. PROJECT COMPLETE - The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- PROJECT HAS NOT BEEN COMPLETED []

If the project has not been completed, please answer the following:

[] YES [] NO a. Has construction work commenced?

] YES ] NO Is construction completed? b.

[] YES [ ] NO Have the permitted beneficial uses of water commenced? C.

d. [] YES [] NO Will the project be completed within the time period specified in the permit?

Explain what work remains to be done: e.

Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

Page 21

a. [	] Ir	rrigatio	on		-				f.	[]	Municip	al _				·····
b. [	_	rost F		ction	3	Acres			g.	[]	Domest	ic		Appro	ximate pop	oulation
	•					Acres								person	s, lawn/ga	rden area, etc.
c. į	,	leat C		)I	10. 11	Acres			h.	[]		Generation	Instal	led cap	pacity in kV	V, MW, or hp
d. [ <b>№</b>	/] Ir	ndustr	ial		Bot	Specify	ter		i.	i. [] Recreational			Boatin	g, fishi	ng, water	contact sports
e. [	] 8	Stocky	vateri	ng	No	. & type of a	nimals		j.	[]	Other	_	******		Specify	
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<u> </u>				<u></u>			<u> </u>	<u> </u>	<del></del> _							
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		PLE	EASE	ANSW	ER ONLY TH	IOSE QUES								ER RI	GHT PRO	JECT.
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					claim credit fo y Water Code											er authorized unde below:
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ATTACHMENT 1
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AMOUNT OF WATER USED :						
APPL, NO. A029977			7			
PERMIT NO. 020784						
: .	Jan. 05	Feb. 05	Mar. 05	Apr. 05	May. 05	June. 05
Total Gallons	1,127,854	1,213,971	1,145,748	1,561,760	1,552,848	1,855,262
Deadwood Spring						
Subtotal	552,648	594,846	561,417	702,792	559,025	667,894
Appropriated	552,648	594,846	561,417	611,520	559,025	611,520
Developed		-/:		91,272	*	56,374
Sugar Pine Spring						
Subtotal	575,206	619,125	584,332	858,968	993,823	1,187,367
Appropriated	575,206	611,520	584,332	611,520	611,520	611,520
Developed	-	7,605	-	247,448	382,303	575,847
	July, 05	Aug. 05	Sept. 05	Oct. 05	Nov. 05	Dec. 05
Total Gallons	1,966,967	1,890,851	2,203,247	1,165,610	1,069,700	812,857
Deadwood Spring						
Subtotal	747,448	775,249	705,039.06	326,371	417,183	325,143
Appropriated	611,520	611,520	611,520	326,371	417,183	325,143
Developed	135,928	163,729	93,519	<u> </u>		
Sugar Pine Spring						
Subtotal	1,219,520	1,115,602	1,498,208	839,239	652,517	487,714
Appropriated	611,520	611,520	611,520	611,520	611,520	487,714
Developed	608,000	504,082	886,688	227,719	40,997	.=

**"E WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS** P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400



PROGRESS REPORT BY PERMITTEE FOR

2006

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct. G SCOTT FAHEY:

> APPLICATION NO.: A029977 PERMIT NO.: 020784 CONTACT PHONE NO.: (208)345-5170.

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: **G SCOTT FAHEY** 2787 STONY FORK WAY **BOISE, ID 83706** 

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

**PARCEL NO** 

COUNTY LOCATION

Unnamed Spring (AKA SUGAR PINE SPRING) **DEADWOOD SPRING** 

Tuolumne Tuolumne

MAX DIRECT DIVERSION RATE: [Cubic feet per second (CFS) or Gallons per day(GPD)] MAX COLLECTION TO STORAGE AMOUNT: [Total reservoir(s) storage volume in acre-feet (AC-FT)] AC-FT

PERMITTED USE(S) OF WATER

**ACRES** 

DIRECT DIVERSION SEASON

**COLLECTION TO STORAGE SEASON** 

(First 4 uses displayed below)

(AC)

(month/day to month/day)

(month/day to month/day)

Industrial

0 AC

01/01 - 12/31

DATE BY WHICH PERMITTEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [1] YES [ ] NO I have currently reviewed my water right permit.
2. [1] YES [ ] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side. 3. [ ] YES [ NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit.

#### CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- [ ] PROJECT HAS NOT BEEN COMPLETED

If the project has not been completed, please answer the following:

- [ ] YES [ ] NO Has construction work commenced?
- [] YES [] NO Is construction completed? b.
- [] YES [] NO [] YES [] NO Have the permitted beneficial uses of water commenced? C.
- Will the project be completed within the time period specified in the permit?
- Explain what work remains to be done:
- Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

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2006				÷		· · · · · · · · · · · · · · · · · · ·
AMOUNT OF WATER USED:				1		
APPL. NO. A029977						
PERMIT NO. 020784				. 1		
	January	February	March	April	May	June
Total Gallons	812,857	1,075,221	1,154,159	998,928	902,164	934,237
	*				1-	
Deadwood Spring				•		
Subtotal	353,593	467,721	484,747	439,528	234,563	233,559
Appropriated	353,593	467,721	484,747	439,528	234,563	233,559
Developed	: -	-		-	-	-
Sugar Pine Spring						
Subtotal	459,264	607,500	669,412	559,400	667,601	700,678
Appropriated	459,264	607,500	611,520	559,400	611,521	611,521
Developed		:	57,892	· ;-	56,080	89,157
	July	August	September	October	November	December
Total Gallons	1,036,299	1,092,018	1,039,280	1,203,825	836,993	892,064
Deadwood Spring						
Subtotal	207,260	262,084	311,784	361,148	334,797	356,826
Appropriated	207,260	262,084	311,784	361,148	334,797	356,826
Developed	-	<u> </u>	<u>-</u>	-	-	
Sugar Pine Spring						
Subtotal	829,039	829,934	727,496	842,678	502,196	535,239
Appropriated	611,521	611,521	611,521	611,521	502,196	535,239
Developed	217,518	218,413	115,975	231,157		_

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

P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

#### PROGRESS REPORT BY PERMITTEE FOR 2007

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct.

G SCOTT FAHEY

APPLICATION NO: A029977 PERMIT NO: 020784 CONTACT PHONE NO: 208-345-5170 COUNTY LOCATION Tuolumne Tuolumne **COLLECTION TO STORAGE SEASON** (month/day to month/day) on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**PARCEL NO** 

UNSP (AKA SUGAR PINE SPRING)

G SCOTT FAHEY

**BOISE. ID 83706** 

2787 STONY FORK WAY

**DEADWOOD SPRING** 

MAX DIRECT DIVERSION RATE: 0.062 Cubic Feet per Second

MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT

**WATER RIGHT FACE VALUE: 44.8 AC-FT** 

PERMITTED USE(S) OF WATER (First 4 uses displayed below)

**ACRES** (AC)

DIRECT DIVERSION SEASON

(month/day to month/day)

Industrial

0.0

1/1 to 12/31

DATE BY WHICH PERMITEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

YES [] NO I have currently reviewed my water right permit.
 YES [] NO I am complying with all terms and conditions lists.

YES [ ] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side. 3. [] YES [YNO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks"

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit.

#### CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and 5. season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- [] PROJECT HAS NOT BEEN COMPLETED

If the project has not been completed, please answer the following:

- [ ] YES [ ] NO Has construction work commenced?
- [ ] YES Is construction completed? [ ] NO b.
- Have the permitted beneficial uses of water commenced? [] YES [] NO
- Will the project be completed within the time period specified in the permit? [] YES [] NO
- Explain what work remains to be done:
- Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

### ATTACHMENT 1

Acres G. [] Domestic Acres G. [] Domestic No. of persons, lawnigarden area, etc.  Acres h. [] Power Generator No. of persons, lawnigarden area, etc.  Acres h. [] Power Generator Specify G. [] Sociowatering No. 8, type of snimals  No. 9, type of snimals  No. 1, type of s	[ ] Irrigation		<del></del>	A ====	·		τ.	[]	Municipa	ı	A	wimata ==	ulation
Heat Control   Moustries   M	[] Frost Prote	ction					g.	[]	Domestic		Appro	oximate pop	oulation
Stockwatering	I Heat Contro	ol		Acres			h	r 1	Power G		lo. of persor	ns, lawn/ga	rden area, etc.
Specify  No. 8 type of animals  Specify  Specify  Specify  Specify  Specify  Specify  MOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.  Amount of water used each month under this permit in [ ] gallons or [ ] acre-feet:  Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Total Annual Total Total Annual Total Annual Total Annual Total Annual Total Annual Total Annual			72 1/1 \	Acres							Installed ca	pacity in kV	V, MW, or hp
[ ] Stockwatering	[ <b>v</b> ] Industrial	_3	Donlea '				i.	[ ]	Recreation		Boating, fish	ing, water	contact sports
MOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.  Amount of water used each month under this permit in [] gallons or [] acre-feet:  Jan Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Jun Jul Aug Sep Oct. Nov Dec Total Annual Feb Mar Apr May Mar	[] Stockwater	ing	No	9 time of or	nimala		j.	[]	Other				•
TORAGE PROJECTS ONLY: (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered Complete for long-term storage projects only: a. [] YES [] NO Did your reservoir(s) spill this year? If No, how many feet below the spillway vertically was the water level(s) at maximum storage?    Did your reservoir(s) spill this year?	MOUNT OF WATER Amount of water	R USED: I used each	Please repo	ort only the	amounts	diverted at	n <b>d ben</b> acre-fe	e <b>ficia</b> et:	illy used u	nder this	permit.	Opedity	
Complete for long-term storage projects only:  a. [] YES [] NO Did your reservoir(s) spill this year?  b. [] YES [] NO Have you emptied the reservoir(s)?  If No, how many feet below the spillway vertically was the water level (s) at maximum storage?  PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT.  (Please note that future amendments to the claims below will not be accepted.)  In appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that noter certain conditions no reduction or loss of the appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that noter certain conditions no reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, sealinated, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed adit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.  ONSERVATION OF WATER: (Water Code section 1011)  D. [] YES [] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (ATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  ONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)  If YES and you want to claim credit for the groundwater used below:  (specify the amount in acre-feet	Jan Feb	Mar	Apr	May	Jun	Jül	Au	g	Sep	Oct	Nov	Dec	Total Annua
Complete for long-term storage projects only:  a. [] YES [] NO Did your reservoir(s) spill this year?  b. [] YES [] NO Have you emptied the reservoir(s)?  If No, how many feet below the spillway vertically was the water level (s) at maximum storage?  PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR WATER RIGHT PROJECT.  (Please note that future amendments to the claims below will not be accepted.)  In appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that noter certain conditions no reduction or loss of the appropriative water right can be reduced or revoked through five continuous years of nonuse. However, the California Water Code specifies that noter certain conditions no reduction or loss of the appropriative water right shall occur due to: (a) water conservation efforts; (b) use of recycled, sealinated, or polluted water; and/or (c) conjunctive use of groundwater and surface water. You must report the extent and amount of water claimed adit below. Failure to report the amounts will deprive you of the benefits allowed under the Water Code sections.  ONSERVATION OF WATER: (Water Code section 1011)  D. [] YES [] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (ATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  ONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)  If YES and you want to claim credit for the groundwater used below:  (specify the amount in acre-feet		<u> </u>	<u> </u>		<u> </u>	<u> </u>				<u> </u>	<u> </u>	<u> </u>	<u></u>
If YES and you want to claim credit for the amount of water conserved towards the water use authorized under your permit as allowed under Water Code section 1011, please show the amount of water conserved below:  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  (ATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)  [1] YES [1] NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?  [3] If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized under your permit as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.  [5] YES [1] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your permit in the surface water authorized under water Code section 1011.5, please show the amount of groundwater used below:  (specify the amount in acre-feet or million gallons) Future amendments to this claim will not be accepted.	n appropriative wate der certain conditio esalinated, or pollute	E ANSWER er right can i	ONLY THO (Please be reduced ction or loss	OSE QUES note that for or revoked of the appr	TIONS BEL uture amen through five ropriative w	LOW WHIC Idments to the Continuous Cater right si	H ARE the clair is years thall occ	APP ns be of no ur due wate	LICABLE blow will no conuse. Ho e to: (a) w	TO YOUF t be accep wever, the vater cons	R WATER R oted.) e California ervation effo he extent ar	IGHT PRO	e specifies that of recycled,
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2. [ ] YES [ ] NO During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?  3. If YES and you want to claim credit for the substitution of this reclaimed, desalinated, or polluted water in lieu of the surface water authorized une your permit as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:	ONSERVATION OF O. [ ] YES [ ] NO OTHER PROPERTY OF THE PROPERT	WATER: During the vant to clair tion 1011, p	(Water Code period period code	de section vered by this	you of the b 1011) is Report, w of water co	vere you imposes you impose you to sonserved to	plemen wards t	ting a	he Water C	conservation	on efforts?	ermit as all	owed under
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2007						
AMOUNT OF WATER USED:	12,326,785	Gallons				
APPL. NO. A029977						
PERMIT NO. 020784						
	January	February	March	April	May	June
Total Gallons	1,018,755	1,236,519	797,828	1,390,382	1,338,440	1,272,303
Deadwood Spring						
Subtotal	417,690	375,902	242,540	636,999	448,487	394,327
Appropriated	417,690	375,902	242,540	611,520	448,487	394,327
Developed	-	-	-	25,478.57	-	_
Sugar Pine Spring			· ·			
Subtotal	601,066	860,617	555,288	753,383	889,953	877,976
Appropriated	601,066	611,520	555,288	611,521	611,521	611,521
Developed	_	249,097	_	141,862	278,432	266,455
	July	August	September	October	November	December
Total Gallons	895,430	872,304	1,036,062	887,632	875,748	705,381
			v.			
Deadwood Spring						
Subtotal	319,692	336,001	484,212	460,137	449,982	359,745
Appropriated	319,692	336,001	484,212	460,137	449,982	359,745
Developed	_	-	_	-	-	_
Sugar Pine Spring						
Subtotal	575,738	536,303	551,850	427,495	425,767	345,637
Appropriated	575,738	536,303	551,850	427,495	425,767	345,637
Developed		-	-		-	_

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

P.O. Box 2000

**SACRAMENTO, CA 95812-2000** 

For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

#### PROGRESS REPORT BY PERMITTEE FOR 2008

OWNER(S) OF RECORD: If the owner information below is wrong or missing, please correct.

G SCOTT FAHEY

APPLICATION NO: A029977 -0 MM 10 PH 10: 23 PERMIT NO: 020784 CONTACT PHONE NO: 208-345-533

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING: G SCOTT FAHEY 2787 STONY FORK WAY **BOISE, ID 83706** 

PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)

POD PARCEL NO

**COUNTY LOCATION** 

UNSP (AKA SUGAR PINE SPRING) DEADWOOD SPRING

Tuolumne Tuolumne

MAX DIRECT DIVERSION RATE: 0.062 Cubic Feet per Second

MAX COLLECTION TO STORAGE AMOUNT: 0 AC-FT

**WATER RIGHT FACE VALUE: 44.8 AC-FT** 

PERMITTED USE(S) OF WATER (First 4 uses displayed below)

ACRES (AC)

DIRECT DIVERSION SEASON

**COLLECTION TO STORAGE SEASON** 

(month/day to month/day) (month/day to month/day)

Industrial

0.0

1/1 to 12/31

DATE BY WHICH PERMITEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER: 12/31/2011

COMPLIANCE WITH PERMIT TERMS AND CONDITIONS: This Report is important since it provides a record of your actual water use necessary to establish your water right as well as your compliance with the terms and conditions of your water right permit. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [ YES [ ] NO I have currently reviewed my water right permit.

YES [] NO I am complying with all terms and conditions listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.

3. | YES NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit. If YES, explain under "Remarks" on reverse side. Note: A Change Petition & associated fees may be required for any significant changes to the permitted project.

PERMITTED PROJECT STATUS: California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriative water right project so that the project is completed within the time period specified in the permit.

#### CHECK ONE OF THE FOLLOWING CONCERNING YOUR WATER RIGHT PROJECT STATUS:

- [ ] REVOCATION The project has been abandoned and I request revocation of the permit.
- PROJECT COMPLETE The project has been completed. I have made full beneficial use of water as to the diversion rate, amount, and season specified in the permit and have complied with all terms and conditions. I am ready for (or have had) a licensing inspection by Division of Water Rights staff and request that a water right license be issued.
- [ ] PROJECT HAS NOT BEEN COMPLETED

If the project has not been completed, please answer the following:

Has construction work commenced? [] YES [] NO

I I YES 1 NO Is construction completed? b.

[] YES [] NO Have the permitted beneficial uses of water commenced?

[] YES [] NO Will the project be completed within the time period specified in the permit?

Explain what work remains to be done:

Give the estimated date of completion of the project, including maximizing beneficial use of water: Note: A time extension petition and associated fees may be required if the project is not completed within the time period specified in the permit.

**ATTACHMENT 1** 

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MOUNT OF	F WATER U	SED: P	lease repo	ort only the	amounts	diverted ar	nd benefic	ially used	under this	permit.		* Rtable	.W.
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2008			·		* *	**************************************
AMOUNT OF WA	TER USED:	11,646,522	Gallons			
	IO. A029977					
PERMIT	NO. 020784					
	January	February	March	April	May	June
Total Gallons	705,381	1,075,732	963,918	1,144,697	1,168,741	910,921
Deadwood Spring	51.0%	51.0%	51.0%	54.8%	51.0%	49.6%
Subtotal	359,745	548,623	491,598	627,490	596,058	451,427
Appropriated	359,745	548,623	491,598	611,520	596,058	451,427
Developed	-	_	-	15,969.93	-	-
		······································				
Sugar Pine Spring	49.0%	49.0%	49.0%	45.2%	49.0%	50.4%
Subtotal	345,637	527,109	472,320	517,207	572,683	459,495
Appropriated	345,637	527,109	472,320	517,207	572,683	459,495
Developed	-	=	-	-	-	
·	Luka	August	Contombor	Octobor	November	Dagambar
Total Callons	July	August	September	October		December
Total Gallons	1,057,834	1,080,170	1,092,240	947,073	930,145	569,668
Deadwood Spring	50.1%	51.2%	52.0%	53.8%	54.8%	52.0%
Subtotal	530,025	552,661	567,965	509,441	509,711	296,228
Appropriated	530,025	552,661	567,965	509,441	509,711	296,228
Developed	-	-	· -	-	4	Med
Sugar Pine Spring	49.9%	48.8%	48.0%	46.2%	45.2%	48.0%
Subtotal	527,809	527,509	524,275	437,632	420,434	273,441
Appropriated	527,809	527,509	524,275	437,632	420,434	273,441
Developed	-	_	-	-	-	-

2009 MAR 10 PH 12: 23

DEVOLUCE RECEIS

#### **PROGRESS REPORT BY PERMITTEE FOR 2009**

Primary Owner: G SCOTT FAHEY Application Number: A029977 Permit Number: 020784 Date Submitted: 2010-03-12

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

	Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	1206750	875281
February	1263170	895419
March	1836030	1117315
April	1924700	1094993
May	1803620	887591
June	1991870	936554
July	1581890	1314082
August	1584180	1122908
September	1379840	1014612
October	1238490	941628
November	1467990	1050295
December	1380450	743857
Total	18658980	11994535

l I	Spilled this year	Feet below spillway at maximum storage	Completely emptied		Method used to I measure water level	
	c y cc		5p a. o a	u.		

Conservation of Water	
Are you now employing water conservation efforts?	No
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation	
During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
Amounts of groundwater used	

Additional Remarks	

Contact Information of the Person Submitting the Form		
First Name	G. Scott	
Last Name	Fahey	
Relation to Water Right	Owner	
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes	

#### **PROGRESS REPORT BY PERMITTEE FOR 2010**

Primary Owner: G SCOTT FAHEY Application Number: A029977 Permit Number: 020784 Date Submitted: 2011-03-30

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use						
Industrial	Bulk Wholesale of Fedreally Certified Spring Water					

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)				
January	977106	977106				
February	1123027	1123027				
March	1569801	1569801				
April	1221397	1221397				
May	1443712	1443712				
June	1351842	1351842				
July	1503944	1503944				
August	1650053	1650053				
September	1453583	1453583				
October	1211799	1211799				
November	1102833	1102833				
December	1267322	1267322				
Total	15876419	15876419				

Month		Maximum Rate of Diversion (GPM)	ATTACHMENT 1
January	22.3		
February	25.6		
March	35.8		
April	27.9		
May	33		
June	30.9		
July	34.3		
August	37.7		
September	33.2		
October	27.7		
November	25.2		
December	28.8		

Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
Are you now employing water conservation efforts?	No
Description of water conservation efforts	
Amount of water conserved	

Water Quality and Wastewater Reclamation	
During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
During the period covered by this Report, were you using groundwater in lieu of available su water authorized under your permit?	rface No
Amounts of groundwater used	

Additional Remarks

Attachments	
File Name	Size
2010 Water Rights Reporting.xls	25 KB

Contact Information of the Person Submitting the Form					
First Name	G Scott				
Last Name	Fahey				
Relation to Water Right	Owner				
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes				

2010	January	February	March	April	May	June	July	August	September	October	November	December	Total	2010
					Deadwood	& Sugar Pine	e Springs							
Total Diverted & Used	977,106	1,123,027	1,569,801	1,221,397	1,443,712	1,351,842	1,503,944	1,650,053	1,453,583	1,211,799	1,102,833	1,267,322	15,876,419	Total Diverted & Used
Permit No. 20784 Diversion	977,106	1,096,485	1,226,400	1,138,817	1,214,563	1,150,292	1,226,400	1,226,400	1,226,400	1,197,017	1,102,833	1,226,400		Permit No. 20784 Diversion
Developed Right	0	26,542	343,401	82,579	229,149	201,549	277,544	423,653	227,183	14,782	0	40,922	1,867,305	Developed Right
GPM	22.3	25.6	35.8	27.9	33.0	30.9	34.3	37.7	33.2	27.7	25.2	28.9	30.2	GPM
					Dea	dwood Sprir	ng							
Total Diverted & Used	556,617	639,742	894,251	695,779	601,363	537,092	705,225	825,169	733,225	627,982	551,512	633,771	8,001,729	Total Diverted & Used
Permit No. 20784 Diversion	556,617	613,200	613,200	613,200	601,363	537,092	613,200	613,200	613,200	613,200	551,512	613,200	7,152,185	Permit No. 20784 Diversion
Developed Right	0	26,542	281,051	82,579	0	0	92,025	211,969	120,025	14,782	0	20,571	849,545	Developed Right
GPM	12.7	14.6	20.4	15.9	13.7	12.3	16.1	18.8	16.7	14.3	12.6	14.5	15.2	GPM
					0	Din . On								
T (   D)   (   0   1   1	100 100	400.005	075 550	505.047	_	ar Pine Sprir	_	004.000	700.050	500.047	EE4 004	000 554	7.074.000	T ( 15: ( 1011 )
Total Diverted & Used	420,489	483,285	675,550	525,617	842,349	814,749	798,719	824,883	720,359	583,817	551,321	633,551	7,874,690	Total Diverted & Used
Permit No. 20784 Diversion	420,489	483,285	613,200	525,617	613,200	613,200	613,200	613,200	613,200	583,817	551,321	613,200	6,856,930	Permit No. 20784 Diversion
Developed Right	0	0	62,350	0	229,149	201,549	185,519	211,683	107,159	0	0	20,351	1,017,760	Developed Right
GPM	9.6	11.0	15.4	12.0	19.2	18.6	18.2	18.8	16.4	13.3	12.6	14.5	15.0	GPM

#### **PROGRESS REPORT BY PERMITTEE FOR 2011**

Primary Owner: G SCOTT FAHEY Application Number: A029977 Permit Number: 020784 Date Submitted: 2012-03-10

1. Permit Review	
I have reviewed my water right permit	Yes
2 Compliance with Permit Terms and Conditions	

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project		
Intake location has been changed		
Description of intake location changes		
Type of use has changed		
Description of type of use changes		
Place of use has changed		
Description of place of use changes		
Other changes		
Description of other changes		

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

	7. Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers

	8. Amount of Water Diverted and Used	d
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	1321086	1321086
February	1308297	1308297
March	1604448	1604448
April	1977298	1977298
May	2145548	2145548
June	2217940	2217940
July	1856942	1856942
August	2142381	2142381 Page 39

12172010		TROOKEOOKEI OKT BIT EKWITTEE	+ ATTACHMENT 1
September	1489170		1489170
October	1506727		1506727
November	1511693		1511693
December	1575106		1575106
Total	20656636		20656636

9. Maximum Rate of Diversion for each Month		
Month Maximum Rate of Diversion (GPM)		
January	29.6	
February	32.4	
March	35.9	
April	45.8	
May	48.1	
June	51.3	
July	41.6	
August	48	
September	34.5	
October	33.8	
November	35	
December	35.3	

	10. Storage				
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks	

Attachments		
File Name	Description	Size
2011 Water Rights Reporting.xls		24 KB

Contact Information of the Person Submitting the Form  ATTACH	MENT
First Name	G Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

2011	January	February	March	April	May	June	July	August	September	October	November	December	Total	2011
T		4 000 00=				& Sugar Pin	. •	0.440.004	4 400 470	4 = 00 = 0=	4 = 44 000	. === .00		
Total Diverted & Used Permit No. 20784 Diversion	1,321,086 94,686	1,308,297 81,897	1,604,448 378,048	1,977,298 753,888	2,145,548 919,148	2,217,940 991,540	1,856,942 630,542	2,142,381 915,981	1,489,170 262,770	1,506,727 280,327	1,511,693 285,293	1,575,106 391,706	, ,	Total Diverted & Used Permit No. 20784 Diversion
Developed Right	1,226,400	1,226,400	1,226,400	1,223,410	1,226,400	1.226.400	1,226,400	1,226,400	1,226,400	1,226,400	1,226,400	1,183,400		Developed Right
GPM	29.6	32.4	35.9	45.8	48.1	51.3	41.6	48.0	34.5	33.8	35.0	35.3	39.3	GPM
					Des									
Total Diverted & Used	660,658	654,262	802,363	1,367,088	1,483,414	idwood Sprii 1,219,867	n <b>g</b> 1,183,694	1,232,226	829,694	839,476	842,243	570,200	11 685 186	Total Diverted & Used
Permit No. 20784 Diversion	47,458	41,062	189,163	753,888	870,214	606,667	570,494	619,026	216,494	226,276	229,043	0	4.369.785	
Developed Right	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	570,200	7,315,400	Developed Right
GPM	14.8	16.2	18.0	31.6	33.2	28.2	26.5	27.6	19.2	18.8	19.5	12.8	22.2	GPM
					Suc	ar Pine Spri	na							
Total Diverted & Used	660,428	654,035	802,085	610,210	662,134	998,073	673,248	910,155	659,476	667,251	669,450	1,004,906	8,971,450	Total Diverted & Used
Permit No. 20784 Diversion	47,228	40,835	188,885	0	48,934	384,873	60,048	296,955	46,276	54,051	56,250	391,706	1,616,040	Permit No. 20784 Diversion
Developed Right	613,200	613,200	613,200	610,210	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	7,355,410	Developed Right
GPM	14.8	16.2	18.0	14.1	14.8	23.1	15.1	20.4	15.3	14.9	15.5	22.5	17.1	GPM

#### **PROGRESS REPORT BY PERMITTEE FOR 2012**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2013-02-09

Application Number: A029977 Permit Number: 020784

Source(s) of Water
DEADWOOD SPRING
UNSP (AKA SUGAR PINE SPRING)

POD Parcel Number

County

Tuolumne Tuolumne

MAX Direct Diversion Rate: 0.062 CFS MAX Collection to Storage: 0.0 AC-FT

Face Value: 44.8 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1. Permit	Review
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. 0	Changes to the Project
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

	7. Purpose of Use
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	852287	852287
February	1026099	1026099
March	1175729	1175729
April	945815	945815
May	866115	866115
June	1296919	1296919
July	1466811	1466811
August	1374568	1374568
September	1253441	1253441
October	1333115	1333115
November	1086482	1086482
December	986971	986971
Total	13664352	13664352
Comments		·

9. Maximum Rate of Diversion for each Month					
Month	Maximum Rate of Diversion (GPM)				
January	19.1				
February	24.6				
March	26.3				
April	21.9				
May	19.4				
June	30				
July	32.9				
August	30.8				
September	29				
October	29.9				
November	25.2				
December	22.1				

			10. Storage	;	
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

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## 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water				
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?				
16. Amounts of groundwater used				

Additional Remarks	

Attachments				
File Name	Description	Size		
2012 Water Rights Reporting-DW&SP.xls		24 KB		

Contact Information of the Person Submitting the Form				
First Name	G. Scott			
Last Name	Fahey			
Relation to Water Right	Owner			
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes			

2012	January	February	March	April	May	June	July	August	September	October	November	December	Total	2012
					Deadwood	& Sugar Pin	e Springs							Deadwood & Sugar Pine Springs
Total Diverted & Used	852,287	1,026,099	1,175,729	945,815	866,115	1,296,919	1,466,811	1,374,568	1,253,441	1,333,115	1,086,482	986,971	13,664,353	Total Diverted & Used
Permit No. 20784 Diversion	852,287	613,400	613,400	613,400	613,400	613,400	733,352	741,843	640,241	711,383	531,871	432,360	12,786,394	Permit No. 20784 Diversion
Developed Right	0	18,971	126,911	38,524	35,113	136,740	240,411	148,168	28,806	106,715	0	0	880,359	Developed Right
GPM	19.1	24.6	26.3	21.9	19.4	30.0	32.9	30.8	29.0	29.9	25.2	22.1	26.0	GPM
2012	January	February	March	April	May	June	July	August	September	October	November	December		Deadwood Spring
Deadwood Spring (gallons)	337,979	393,928	435,619	294,090	217,802	546,979	733,152	741,643	642,006	711,183	554,612	554,612	6,163,603	Total Diverted & Used
Permit No. 20784 Diversion	337,979	393,928	435,619	294,090	217,802	546,979	613,400	613,400	613,400	613,400	554,612	554,612	5,789,220	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	119,952	128,443	28,806	97,983	0	0	375,184	Developed Right
GPM	7.6	9.4	9.8	6.8	4.9	12.7	16.4	16.6	14.9	15.9	12.8	12.4	11.7	GPM
2012	January	February	March	April	May	June	July	August	September	October	November	December		Sugar Pine Spring
Sugar Pine Spring (gallons)	514,308	632,171	740,111	651,724	648,313	749,940	733,659	632,924	611,435	621,932	531,871	432,360	7,500,749	Total Diverted & Used
Permit No. 20784 Diversion	514,308	613,400	613,400	613,400	613,400	613,400	613,400	613,400	611,435	613,400	531,871	432,360	6,997,174	Permit No. 20784 Diversion
Developed Right	0	18,971	126,911	38,524	35,113	136,740	120,459	19,724	0	8,732	0	0	505,175	Developed Right
GPM	11.5	15.1	16.6	15.1	14.5	17.4	16.4	14.2	14.2	13.9	12.3	9.7	14.3	GPM

#### **PROGRESS REPORT BY PERMITTEE FOR 2013**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2014-02-05

Application Number: A029977 Permit Number: 020784

Source(s) of Water **DEADWOOD SPRING** UNSP (AKA SUGAR PINE SPRING) POD Parcel Number

County Tuolumne

Tuolumne

MAX Direct Diversion Rate: 0.062 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 44.8 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions				
I am complying with all terms and conditions				
Description of noncompliance with terms and conditions				

3. Changes to the Project				
Intake location has been changed				
Description of intake location changes				
Type of use has changed				
Description of type of use changes				
Place of use has changed				
Description of place of use changes				
Other changes				
Description of other changes				

4-6. Permitted Project Status					
Project Status Comple					
6a. Construction work has commenced					
6b. Construction is completed					
6c. Beneficial uses of water has commenced					
6d. Project will be completed within the time period specified in the permit					
6e. Explanation of work remaining to be done					
6f. Estimated date of completion					

7. Purpose of Use					
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers				

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	1057619	1057619
February	1102730	1102730
March	1131644	1131644
April	960101	960101
May	729785	729785
June	918364	918364
July	924937	924937
August	765236	765236
September	8921	8921
October	3342	3342
November	6699	6699
December	6611	6611
Total	7615989	7615989
Comments		

9. Maximum Rate of Diversion for each Month					
Month	Maximum Rate of Diversion (GPM)				
January	23.7				
February	26.4				
March	25.4				
April	22.2				
May	16.3				
June	21.3				
July	20.7				
August	17.1				
September	0.2				
October	0.1				
November	0.2				
December	0.1				

			10. Storage	;	
		Feet below spillway at			
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

## 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks	

Attachments		
File Name	Description	Size
2013 Water Rights Reporting-DW&SP.xls		24 KB

Contact Information of the Person Submitting the Form	
First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

2013	January	February	March	April	May	June	July	August	September	October	November	December	Total	2013
					Deadwood 8	& Sugar Pine	Springs							Deadwood & Sugar Pine Springs
Total Diverted & Used	1,057,619	1,102,730	1,131,644	960,101	729,785	918,364	924,937	765,236	8,921	3,342	6,699	6,611	7,615,991	Total Diverted & Used
Permit No. 20784 Diversion	1,057,619	489,530	518,444	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	7,541,915	Permit No. 20784 Diversion
Developed Right	0	25,289	49,187	0	0	0	0	0	0	0	0	0	74,476	Developed Right
GPM	23.7	26.4	25.4	22.2	16.3	21.3	20.7	17.1	0.2	0.1	0.2	0.1	14.5	GPM
2013	January	February	March	April	May	June	July	August	September	October	November	December		Deadwood Spring
Deadwood Spring (gallons)	582,411	638,489	662,387	541,155	406,554	468,692	482,778	396,866	3,766	1,883	3,766	3,766	4,192,512	Total Diverted & Used
Permit No. 20784 Diversion	582,411	613,400	613,400	541,155	406,554	468,692	482,778	396,866	3,766	1,883	3,766	3,766	4,118,436	Permit No. 20784 Diversion
Developed Right	0	25,289	49,187	0	0	0	0	0	0	0	0	0	74,476	Developed Right
GPM	13.0	15.8	14.8	12.5	9.1	10.8	10.8	8.9	0.1	0.0	0.1	0.1	8.0	GPM
2013	January	February	March	April	May	June	July	August	September	October	November	December		Sugar Pine Spring
Sugar Pine Spring (gallons)	475,208	464,241	469,257	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	3,423,479	Total Diverted & Used
Permit No. 20784 Diversion	475,208	464,241	469,257	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	3,423,479	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	10.6	11.5	10.5	9.7	7.2	10.4	9.9	8.3	0.1	0.0	0.1	0.1	6.5	GPM

#### **PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2015-03-03

Application Number: A029977 Permit Number: 020784

Source(s) of Water
DEADWOOD SPRING
UNSP (AKA SUGAR PINE SPRING)

POD Parcel Number

County

Tuolumne Tuolumne

MAX Direct Diversion Rate: 0.062 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 44.8 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	$\Box$
Description of type of use changes	Τ
Place of use has changed	Τ
Description of place of use changes	Τ
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

	7. Purpose of Use
Industrial	Bulk wholesale of Federally Certified Spring Water to State Certified Bottlers

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	294577	294577
February	788800	788800
March	667247	667247
April	518441	518441
May	639117	639117
June	681103	681103
July	718556	718556
August	644405	644405
September	648128	648128
October	694220	694220
November	576025	576025
December	603810	603810
Total	7474429	7474429
Comments		

9. Maximum Rate of Diversion for each Month					
Month	Maximum Rate of Diversion (GPM)				
January	6.6				
February	18.9				
March	14.9				
April	12				
May	14.3				
June	15.8				
July	16.1				
August	14.4				
September	15				
October	15.6				
November	13.3				
December	13.5				

			10. Storage	;	
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water			
11. Are you now employing water conservation efforts?	No		
Description of water conservation efforts			
12. Amount of water conserved			

## Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

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## 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks	

Attachments					
File Name Description Size					
2014 Water Rights Reporting-DW&SP.xls	Use from each respective spring	24 KB			

Contact Information of the Person Submitting the Form					
First Name	G SCOTT				
Last Name	FAHEY				
Relation to Water Right	Primary Owner of Record				
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes				

2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2014
					Deadwood	l & Sugar Pir	ne Springs					D	eadwood	I & Sugar Pine Springs
Total Diverted & Used	294,577	788,800	667,247	518,441	639,117	681,103	718,556	644,405	648,128	694,220	576,025	603,810	7,474,42	9 Total Diverted & Used
Permit No. 20784 Diversion	294,577	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	7,474,42	9 Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	6.6	18.9	14.9	12.0	14.3	15.8	16.1	14.4	15.0	15.6	13.3	13.5	14.2	GPM
2014	January	February	March	April	May	June	July	August	September	October	November	December	De	adwood Spring
Deadwood Spring (gallons(	85,922	466,240	310,127	172,841	281,997	335,503	361,436	287,285	302,528	337,100	230,425	246,690	3,418,09	4 Deadwood Spring
Permit No. 20784 Diversion	85,922	466,240	310,127	172,841	281,997	335,503	361,436	287,285	302,528	337,100	230,425	246,690	3,418,09	4 Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	1.9	11.6	6.9	4.0	6.3	7.8	8.1	6.4	7.0	7.6	5.3	5.5	6.5	GPM
													_	D: 0 :
2014	January	February	March	April	May	June	July	August	September	October	November	December		gar Pine Spring
Sugar Pine Spring (gallons)	208,655	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	4,056,33	5 Total Diverted & Used
Permit No. 20784 Diversion	208,655	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	4,056,33	5 Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	4.7	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	7.7	GPM

# [SUMMARY OF FINAL SUBMITTED VERSION] PROGRESS REPORT BY PERMITTEE FOR 2014

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491 Permit Number: 021289

Source(s) of Water POD Parcel Number County
UNSP Tuolumne
UNSP Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions					
I am complying with all terms and conditions					
Description of noncompliance with terms and conditions					

3. Changes to the Project				
ntake location has been changed				
Description of intake location changes				
Type of use has changed				
Description of type of use changes				
Place of use has changed				
Description of place of use changes				
Other changes				
Description of other changes				

4-6. Permitted Project Status		
Project Status	Complete	
6a. Construction work has commenced		
6b. Construction is completed		
6c. Beneficial uses of water has commenced		
6d. Project will be completed within the time period specified in the permit		
6e. Explanation of work remaining to be done		
6f. Estimated date of completion		

	7. Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water

8. Amount of Water Diverted and Used			
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	0	0	0
February	1.74	0	1.74
March	1.05	0	1.05
April	0.43	0	0.43
May	0.94	0	0.94
June	1.17	0	1.17
July	1.22	0	1.22
August	0.83	0	0.83
September	0.73	0	0.73
October	0.86	0	0.86
November	0.4	0	0.4
December	0.46	0	0.46
Total	9.83	0	9.83
Type of Diversion	Direct Diversion Only		
Comments			

Water Transfers		
8e. Water transfered	No	
8f. Quantity transfered (Acre-Feet)		
8g. Dates which transfer occurred	/ to /	
8h. Transfer approved by		

Water Supply Contracts		
8i. Water supply contract	No	
8j. Contract with		
8k. Other provider		
8l. Contract number		
8m. Source from which contract water was diverted		
8n. Point of diversion same as identified water right		
8o. Amount (Acre-Feet) authorized to divert under this contract		
8p. Amount (Acre-Feet) authorized to be diverted in 2014		
8q. Amount (Acre-Feet) projected for 2015		
8r. Exchange or settlement of prior rights		
8s. All monthly reported diversion claimed under the prior rights		
8t. Amount (Acre-Feet) of reported diversion solely under contract		

9. Maximum Rate of Diversion for each Month		
Month	Maximum Rate of Diversion (GPM)	
January	0	
February	14.1	
March	7.6	

April	3.3
May	6.9
June	8.8
July	8.9
August	6.1
September	5.5
October	6.3
November	3
December	3.3

	10. Storage				
Reservoir name		Feet below spillway at maximum storage		Feet below spillway at minimum storage	mpacility water

Conservation of Water		
11. Are you now employing water conservation efforts?	No	
Description of water conservation efforts		
12. Amount of water conserved		

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

#### **Additional Remarks**

2014 Diverted Surface Water Reduced by the Amount of Intercepted Percolating Groundwater Diverted and Used, and Claimed as a Developed Water Right.

Attachments		
File Name	Description	Size
2014 Water Rights	Water Diverted & Used, Water Exchanged with MID/TID/CCSF	36
Reporting-M&P.xls	During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	KB

Contact Information of the Person Submitting the Form						
First Name	G SCOTT					
Last Name	FAHEY					
Relation to Water Right	Primary Owner of Record					
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes					

REVISED 2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104	REVISED
					Marc	o & Polo Sp	rings						Marc	o & Polo S	prings
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Divert	ed & Used
Permit No. 20784 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 2	20784 Diversio
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2501524.08	Developed	Right
GPM	0.0	18.3	17.5	16.6	15.8	15.0	14.2	13.4	12.6	11.8	11.0	10.2	14,2	GPM	
2014	January	February	March	April	May	June	July	August	September	October	November	December		Marco Sprii	•
Marco Spring (gallons)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524		
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	-	Permit No. 2	20784 Diversion
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524	Developed	Right
GPM	0.0	8.0	7.9	7.8	7.7	7.6	7.5	7.4	7.3	7.2	7.1	7.0	7.5	GPM	
2014														Polo Sprin	g
Polo Spring (gallons)	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Total Divert	ed & Used
Permit No. 21289 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 2	20784 Diversio
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed	Right
GPM	0.0	10.3	9.6	8.8	8.1	7.4	6.7	6.0	5.3	4.6	3.9	3.2	6.7	GPM .	•

					As C	Driginally Repo	orted							
2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104
					Marc	o & Polo Spi	rings						Marc	o & Polo Springs
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right GPM	January 0 0 0 0	February 275,721 275,721 0 6.8	March 167,709 167,709 0 3.8	April 56,634 56,634 0 1.3	May 175,096 175,096 0 3.9	June 240,030 240,030 0 5.6	July 264,661 264,661 0 5.9	August 181,058 181,058 0 4.1	September 158,526 158,526 0 3.7	October 187,832 187,832 0 4.2	November 87,797 87,797 0 2.0	December 99,144 99,144 0 2.2	1,894,207 1,894,207 - 3.6	Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM
2014 Polo Spring (gallons) Permit No. 21289 Diversion Developed Right GPM	0 0 0 0.0	413,581 413,581 0 10.3	251,563 251,563 0 5.6	84,951 84,951 0 2.0	262,644 262,644 0 5.9	360,045 360,045 0 8.3	396,991 396,991 0 8.9	271,587 271,587 0 6.1	237,789 237,789 0 5.5	281,748 281,748 0 6.3	131,696 131,696 0 3.0	148,716 148,716 0 3.3	2,841,311 2,841,311 0 5.4	Polo Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM

## [SUMMARY OF FINAL SUBMITTED VERSION] **PROGRESS REPORT BY PERMITTEE FOR 2015**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A029977 Permit Number: 020784

Source(s) of Water **DEADWOOD SPRING**  POD Parcel Number

County Tuolumne

UNSP (AKA SUGAR PINE SPRING)

Tuolumne

MAX Direct Diversion Rate: 0.062 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 44.8 AC-FT

Permitted Use(s)

Acres

**Direct Diversion Season** 

Storage Season

Industrial 01/01 to 12/31 0.0

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project				
Intake location has been changed				
Description of intake location changes				
Type of use has changed				
Description of type of use changes				
Place of use has changed				
Description of place of use changes				
Other changes				
Description of other changes				

4-6. Permitted Project Status				
Project Status	Complete			
6a. Construction work has commenced				
6b. Construction is completed				
6c. Beneficial uses of water has commenced				
6d. Project will be completed within the time period specified in the permit				
6e. Explanation of work remaining to be done				
6f. Estimated date of completion				

	7. Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water

	8. Amount of Water Div	verted and Used	
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)
January	1.58	0	1.58
February	1.74	0	1.74
March	2.06	0	2.06
April	2.68	0	2.68
May	2.07	0	2.07
June	2.07	0	2.07
July	2.23	0	2.23
August	2.31	0	2.31
September	0.4	0	0.4
October	0.06	0	0.06
November	0.05	0	0.05
December	0.05	0	0.05
Total	17.3	0	17.3
Type of Diversion	Direct Diversion Only	·	
Comments			

Water Transfers					
8e. Water transfered	No				
8f. Quantity transfered (Acre-Feet)					
8g. Dates which transfer occurred	/ to /				
8h. Transfer approved by					

Water Supply Contracts	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

9. Maximum Rate of Diversion for each Month					
Month	Maximum Rate of Diversion (GPM)				
January	11.05				
February	14.7				
March	15.05				

April	20.18
May	15.12
June	15.61
July	16.27
August	16.87
September	2.99
October	0.42
November	0.39
December	0.38

	10. Storage												
Reservoir name	Spilled this year	Feet below spillway at maximum storage		Feet below spillway at minimum storage	Method used to measure water level								

Conservation of Water						
11. Are you now employing water conservation efforts?	No					
Description of water conservation efforts						
12. Amount of water conserved						

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water					
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No				
16. Amounts of groundwater used					

Additional I	Remarks

Attachments								
File Name	Description	Size						
2015 Water Rights	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During	47						
Reporting-DW&SP.xls	2015 Curtailment & FASS Periods, & Points of Use	KB						

Contact Information of the Person Submitting the Form							
First Name	G. Scott						
Last Name	Fahey						
Relation to Water Right	Primary Owner of Record						
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes						

						2013							
	January	February	March	April	May	June	July	August	September	October	November	December	Total
2015					Deadwood	& Sugar Pine	Springs						2015
Total Diverted & Used	515,684	567,453	671,921	871,664	675,003	674,496	726,186	752,983	129,365	18,828	16,945	16,945	5,637,472 Total Diverted & Used
GPM	11.55	14.07	15.05	20.18	15.12	15.61	16.27	16.87	2.99	0.42	0.39	0.38	10.52 GPM
Permit No. 20784 Diversion	515,684	567,453	671,921	871,664	675,003	674,496	726,186	752,983	129,365	18,828	16,945	16,945	5,637,472 Permit No. 20784 Diversion
GPM	11.55	14.07	15.05	20.18	15.12	15.61	16.27	16.87	2.99	0.42	0.39	0.38	10.52 GPM
Developed Right (Percolating Grd. Wtr.)	0	0	0	0	0	0	0	0	0	0	0	0	0 Developed Right (Percolating Grd. Wtr.)
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 GPM
2015					Dea	idwood Sprin	g						2015
Total Deadwood Spring (gallons)	274,110	291,389	293,721	308,350	258,593	246,549	254,461	261,478	99,760	18,827.54	16,945	16,945	2,341,128 Total Diverted & Used
GPM	6.14	7.23	6.58	7.14	5.79	5.71	5.70	5.86	2.31	0.42	0.39	0.38	4.37 GPM
Permit No. 20784 Diversion	274,110	291,389	293,721	308,350	258,593	246,549	254,461	261,478	99,760	18,827.54	16,945	16,945	2,341,128 Permit No. 20784 Diversion
GPM	6.14	7.23	6.58	7.14	5.79	5.71	5.70	5.86	2.31	0.42	0.39	0.38	4.37 GPM
Developed Right (Percolating Grd. Wtr.)	0	0	0	0	0	0	0	0	0	0	0	0	0 Developed Right (Percolating Grd. Wtr.)
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 GPM
2015					s	ugar Spring							2015
Total Sugar Pine Spring (gallons)	241,574	276,064	378,200	563,313	416,411	427,947	471,725	491,504	29,605	0	0	0	3,296,344 Total Diverted & Used
GPM	5.41	6.18	8.47	12.62	9.33	9.59	10.57	11.01	0.66	0.00	0.00	0.00	6.15 GPM
Permit No. 20784 Diversion	241,574	276,064	378,200	563,313	416,411	427,947	471,725	491,504	29,605	0	0	0	3,296,344 Permit No. 20784 Diversion
GPM	5.41	6.18	8.47	12.62	9.33	9.59	10.57	11.01	0.66	0.00	0.00	0.00	6.15 GPM
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0 Developed Right (Percolating Grd. Wtr.)
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 GPM
	1.58	1.74	2.06	2.68	2.07	2.07	2.23	2.31	0.40	0.06	0.05	0.05	17.30

Tuo	Tuolumne Utility District Surplus Water Wheeled to New Don Pedro Reservoir											
	Annual	Credit	Debit to	Foreigh Water								
	Wheeling	Total Wheeled	MID/TID/CCSF	Credit Balance in NDPR								
Year	Ac-Ft	Ac-Ft	Ac-Ft	Ac-Ft								
2009	44.28	44.28	0	44.28								
2010	44.28	88.55	0	88.55								
2011	0	88.55	0	88.55								
2012	0	88.55	0	88.55								
2013	0	88.55	0	88.55								
2014	0	88.55	18.12	70.43								
2015	0	88.55	12.21	58.22								
Date 2016	20.5	109.05	To Be Determined	78.72								

#### Water Diverted & Used 2014 & 2015 **Curtailment & FASS Periods**

İ				2015						1			
Permit No.	May	June	July	August	September	October	April	May	June	July	August	September	October
20784	639,117	681,103	718,556	644,405	648,128	694,220	871,664	675,003	674,496	726,186	752,983	129,365	18,828
21289	307,284	381,645	396,991	271,587	237,789	281,748	64,800	44,640	21,600	0	0	0	0
Total Gallons	946,402	1,062,747	1,115,547	915,992	885,917	975,967	936,464	719,643	696,096	726,186	752,983	129,365	18,828
Gallons as Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
* "Debit" to MID/TID/CCSF Total Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
** Foreign Water "Credit" in NDPR 88.55	85.65	82.38	78.96	76.15	73.43	70.43	67.56	65.35	63.22	60.99	58.68	58.28	58.22
						18.12							12.21

<sup>\*</sup>Pursuant to Term 34, Permit No. 21289, "Replacement Water" requested by SWRCB on behalf of MID/TID/CCSF."

\*\* Pursuant to January 26, 2004 Statement to Files by Division of Water Rights Chief, Victoria Whitney, 2003 TUD Water Exchange Agreement; and Term 34, Permit No. 21289

### Permit Nos. 20784 & 21289 Points of Use

- Nestle Waters N.A., Inc.
   777 W. Putman Ave.
   Greenwich, CT
   Bottling Arrowhead Spring Water in Livermore, CA
- 2 Absopure
  P.O. Box 701248
  Plymouth, MI 48170
  Bottling Various Brands
  in Modesto, CA
- DS Waters, Inc.
   5660 New Northside Dr.
   Atlanta, GA
   Bottling Sierra Spring Water in Milpitas, CA
- 4 Niagara Bottling, Inc. 2560 E. Philadelphia St Ontario, CA 91761 Bottling Various Brands in Stockton, CA
- 5 DAIOHS U.S.A., Inc. dba DAIOHS First Choice Services 1S660 Midwest Road, Suite 120 Oakbrook Terrace, IL 60181 Bottling Aqus Spring Water in Modesto, CA
- 6 Vito Trucking LLC 2812 Nathan Ave. Modesto, CA 95354 Providing Spring Water to Foster Farms in Delhi, CA

#### **PROGRESS REPORT BY PERMITTEE FOR 2011**

Primary Owner: G SCOTT FAHEY Application Number: A031491 Permit Number: 021289 Date Submitted: 2012-03-16

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted	d Project Status
Project Status	Not Complete
6a. Construction work has commenced	Yes
6b. Construction is completed	No
6c. Beneficial uses of water has commenced	No
6d. Project will be completed within the time period specified in the permit	Yes
6e. Explanation of work remaining to be done	By-pass Flow monitors USFS Fire Hydrant installation Diversion Flow Meter
6f. Estimated date of completion	06/30/2013

## 7. Purpose of Use Industrial Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers

	8. Amount of Water Diverted and Used	d
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
		Dago 6

PROGRESS		

July	0	0	<sub>0</sub> ATTACHMENT 1
August	0	(	0
September	0	(	0
October	0	(	0
November	0	(	0
December	0	(	0
Total	0	 (	0

9. N	laximum Rate of Diversion for each Month
Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

			10. Storage	)	
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks

	Attachments	
File Name	Description	Size
	# / #P / / P / / P / P / P / P / P / P /	Page 67

|No Attachments | ATTACHMENT |

Contact Information of the Person Submitting the Form	
First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

#### **PROGRESS REPORT BY PERMITTEE FOR 2012**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2013-02-09

Application Number: A031491 Permit Number: 021289

Source(s) of Water

**POD Parcel Number** 

County

UNSP UNSP Tuolumne Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

		_
	3. Changes to the Project	
Intake location has been changed		
Description of intake location changes		
Type of use has changed		
Description of type of use changes		
Place of use has changed		
Description of place of use changes		
Other changes		
Description of other changes		

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk wholesale of federally certified spring water to State certified water bottlers

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	963666	963666
February	1191943	1191943
March	1437501	1437501
April	1355336	1355336
May	1422991	1422991
June	1384117	1384117
July	1064314	1064314
August	1045437	1045437
September	963012	963012
October	727034	727034
November	828253	828253
December	927764	927764
Total	13311368	13311368
Comments		

9. Maximum Rate of Diversion for each Month					
Month	Maximum Rate of Diversion (GPM)				
January	21.6				
February	26.7				
March	32.2				
April	30.4				
May	31.9				
June	31				
July	23.8				
August	23.4				
September	21.6				
October	16.3				
November	18.6				
December	20.8				

10. Storage							
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to		
name	this year	maximum storage	emptied	minimum storage	measure water level		

Conservation of Water		
11. Are you now employing water conservation efforts?	No	
Description of water conservation efforts		
12. Amount of water conserved		

# Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

# 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water			
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No		
16. Amounts of groundwater used			

Additional Remarks	

Attachments		
File Name	Description	Size
2012 Water Rights Reporting-M&P.xls		24 KB

Contact Information of the Person Submitting the Form				
First Name	G. Scott			
Last Name	Fahey			
Relation to Water Right	Owner			
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes			

#### Permit No. 021289

2012	January	February	March	April	May	June	July	August	September	October	November	December	Total	2012
Total Diver Permit No. 21289 Diversion Developed Right GPM	963,666 963,666 0 21.6	1,191,943 1,191,943 0 26.7	1,437,501 1,437,501 0 32.2	1,355,336 1,355,336 0 30.4	Marc 1,422,991 1,422,991 0 31.9	o & Polo Sp 1,384,117 1,384,117 0 31.0	1,064,314 1,064,314	1,045,437	963,012 963,012 0 21.6	727,034 727,034 0 16.3	828,253 828,253 0 18.6	927,764 927,764 0 20.8	13,311,366 13,311,366	co & Polo Springs 5 Total Diverted & Used 5 Permit No. 20784 Diversion 0 Developed Right GPM
2012 J Marco Spri Permit No. 21289 Diversion Developed Right GPM	January 455,707 455,707 0 10.2	February 567,576 567,576 0 12.7	March 706,527 706,527 0 15.8	April 711,657 711,657 0 15.9	May 782,681 782,681 0 17.5	June 634,177 634,177 0 14.2	July 425,726 425,726 0 9.5	,	385,205 385,205	October 290,814 290,814 0 6.5	November 331,301 331,301 0 7.4	December 371,106 371,106 0 8.3	6,080,65° 6,080,65°	Marco Spring  1 Total Diverted & Used  1 Permit No. 20784 Diversion  2 Developed Right  GPM
2012 Polo Sprinę Permit No. 21289 Diversion Developed Right GPM	507,959 507,959 0 11.4	624,367 624,367 0 14.0	730,973 730,973 0 16.4	643,678 643,678 0 14.4	640,309 640,309 0 14.3	749,940 749,940 0 16.8	638,588 638,588 0 14.3	,	577,807	436,220 436,220 0 9.8	,	,	7,230,715 7,230,715	Polo Spring 5 Total Diverted & Used 5 Permit No. 20784 Diversion O Developed Right GPM GPM

# [SUMMARY OF FINAL SUBMITTED VERSION]

#### **PROGRESS REPORT BY PERMITTEE FOR 2013**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2014-02-05

Application Number: A031491 Permit Number: 021289

Source(s) of Water

**POD Parcel Number** 

County

UNSP UNSP

Tuolumne Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1.	Permit Review	
I have reviewed my water right permit	Yes	

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. (	Changes to the Project
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status					
Project Status	Complete				
6a. Construction work has commenced					
6b. Construction is completed					
6c. Beneficial uses of water has commenced					
6d. Project will be completed within the time period specified in the permit					
6e. Explanation of work remaining to be done					
6f. Estimated date of completion					

	7. Purpose of Use							
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers							

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	939131	939131
February	921445	921445
March	1189004	1189004
April	1106399	1106399
May	822715	822715
June	871422	871422
July	918639	918639
August	750269	750269
September	4079	4079
October	3158	3158
November	6301	6301
December	6389	6389
Total	7538951	7538951
Comments		•

9. Maximum Rate of Diversion for each Month								
Month	Maximum Rate of Diversion (GPM)							
January	21							
February	22.9							
March	26.6							
April	25.6							
May	18.4							
June	20.2							
July	20.6							
August	16.8							
September	0.1							
October	0.1							
November	0.1							
December	0.1							

10. Storage											
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to						
name	this year	maximum storage	emptied	minimum storage	measure water level						

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

# Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

# 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks	

Attachments		
File Name	Description	Size
2013 Water Rights Reporting-M&P.xls		24 KB

Contact Information of the Person Submitting the Form						
First Name	G. Scott					
Last Name	Fahey					
Relation to Water Right	Primary Owner of Record					
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes					

#### Permit No. 021289

<b>2012</b> Janu	ıary Februa	ary March	April	May	June	July	August	September	October	November	December	Total	2012	
Total Diverted & Permit No. 20784 Dive Developed	ersion 939	131 921,44 0	. , ,	1,106,399 1,106,399 0 25.6	822,715 822,715	Marco & Polo 871,422 871,422 0 20.2	918,639		4,079 4,079 0	3,158	-,	6,389 6,389 0	7,538,949 7,538,949 ( 14.3	
Marco Spring (ga Permit No. 21289 Dive Developed	ersion 375	652 368,57		- ,	329,086 329,086	June 348,569 348,569 0 8.1	July 367,456 367,456 0 8.2	300,107	September 1,632 1,632 0	October 1,263 1,263 0	November 2,520 2,520 0	2,555	3,034,888 3,034,888 - 5.8	
Polo Spring (ga Permit No. 21289 Dive Developed	ersion 563	478 552,86 0		- ,	493,629 493,629 0 11.1	522,853 522,853 0 12.1		,	2,447 2,447 0 0.1	1,895 1,895 0	-,	3,833	4,504,061 4,504,061 8.6	Polo Spring Total Diverted & Used Permit No. 21289 Diversion Developed Right GPM

# [SUMMARY OF FINAL SUBMITTED VERSION]

#### **PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2015-03-03

Application Number: A031491 Permit Number: 021289

Source(s) of Water

**POD Parcel Number** 

County

UNSP UNSP Tuolumne Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit Ye	es

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project		
Intake location has been changed		
Description of intake location changes		
Type of use has changed		
Description of type of use changes		
Place of use has changed		
Description of place of use changes		
Other changes		
Description of other changes		

4-6. Permitted Project Status		
Project Status	Complete	
6a. Construction work has commenced		
6b. Construction is completed		
6c. Beneficial uses of water has commenced		
6d. Project will be completed within the time period specified in the permit		
6e. Explanation of work remaining to be done		
6f. Estimated date of completion		

	7. Purpose of Use		
Industrial	Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers		

	8. Amount of Water Diverted and Used	ATTACHMENT
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	0	0
February	689302	689302
March	419272	419272
April	141585	141585
May	437741	437741
June	600075	600075
July	661652	661652
August	452645	452645
September	396315	396315
October	469579	469579
November	219493	219493
December	247860	247860
Total	4735519	4735519
Comments		

9. Maximum Rate of Diversion for each Month		
Month	Maximum Rate of Diversion (GPM)	
January	0	
February	17.1	
March	9.4	
April	3.3	
May	9.8	
June	13.9	
July	14.8	
August	10.1	
September	9.2	
October	10.5	
November	5.1	
December	5.6	

	10. Storage				
Reservoir	Spilled	Feet below spillway at	Completely	Feet below spillway at	Method used to
name	this year	maximum storage	emptied	minimum storage	measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

# Water Quality and Wastewater Reclamation

13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?

No

# 14. Amount of reclaimed, desalinated, or polluted water used

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks

Attachments		
File Name Description Size		Size
2014 Water Rights Reporting-M&P.xls	Use from each respective spring	24 KB

Contact Information of the Person Submitting the Form		
First Name	G SCOTT	
Last Name	FAHEY	
Relation to Water Right	Primary Owner of Record	
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes	

#### Permit No. 021289

2,014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104
					Marc	o & Polo Sp	rings						Marc	o & Polo Springs
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
2014	January	February	March	April	May	June	July	August	September	October	November	December	ı	Marco Spring
Marco Spring (gallons)	0	275.721	167.709	56,634	175,096	240,030	264,661	181,058	158,526	187.832	87,797	99,144	1,894,207	Total Diverted & Used
Permit No. 21289 Diversion	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM
2014														Polo Spring
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Total Diverted & Used
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion
Developed Right	0	Ó	Ó	0	Ó	Ó	Ó	Ó	Ó	Ó	Ó	Ó	0	Developed Right
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM

# [SUMMARY OF FINAL SUBMITTED VERSION] PROGRESS REPORT BY PERMITTEE FOR 2014

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491 Permit Number: 021289

Source(s) of Water POD Parcel Number County
UNSP Tuolumne
UNSP Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project			
Intake location has been changed			
Description of intake location changes			
Type of use has changed			
Description of type of use changes			
Place of use has changed			
Description of place of use changes			
Other changes			
Description of other changes			

4-6. Permitted Project Status			
Project Status	Complete		
6a. Construction work has commenced			
6b. Construction is completed			
6c. Beneficial uses of water has commenced			
6d. Project will be completed within the time period specified in the permit			
6e. Explanation of work remaining to be done			
6f. Estimated date of completion			

	7. Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water

	8. Amount of Water Div	verted and Used		
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)	
January	0	0	0	
February	1.74	0	1.74	
March	1.05	0	1.05	
April	0.43	0	0.43	
May	0.94	0	0.94	
June	1.17	0	1.17	
July	1.22	0	1.22	
August	0.83	0	0.83	
September	0.73	0	0.73	
October	0.86	0	0.86	
November	0.4	0	0.4	
December	0.46	0	0.46	
Total	9.83	0	9.83	
Type of Diversion	Direct Diversion Only			
Comments				

Water Transfers	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

Water Supply Contracts			
8i. Water supply contract	No		
8j. Contract with			
8k. Other provider			
8I. Contract number			
8m. Source from which contract water was diverted			
8n. Point of diversion same as identified water right			
8o. Amount (Acre-Feet) authorized to divert under this contract			
8p. Amount (Acre-Feet) authorized to be diverted in 2014			
8q. Amount (Acre-Feet) projected for 2015			
8r. Exchange or settlement of prior rights			
8s. All monthly reported diversion claimed under the prior rights			
8t. Amount (Acre-Feet) of reported diversion solely under contract			

9. Maximum Rate of Diversion for each Month					
Month Maximum Rate of Diversion (GPM)					
0					
14.1					
7.6					

April	3.3
May	6.9
June	8.8
July	8.9
August	6.1
September	5.5
October	6.3
November	3
December	3.3

10. Storage								
Reservoir name	Feet below spillway at minimum storage	mpacility water						

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

#### **Additional Remarks**

2014 Diverted Surface Water Reduced by the Amount of Intercepted Percolating Groundwater Diverted and Used, and Claimed as a Developed Water Right.

	Attachments	
File Name	Description	Size
2014 Water Rights	Water Diverted & Used, Water Exchanged with MID/TID/CCSF	36
Reporting-M&P.xls	During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	KB

Contact Information of the Person Submitting the Form					
First Name	G SCOTT				
Last Name	FAHEY				
Relation to Water Right	Primary Owner of Record				
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes				

#### Permit No. 021289

REVISED 2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104	REVISED
					Marc	o & Polo Sp	rings						Marc	o & Polo S	prings
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Divert	ed & Used
Permit No. 20784 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 2	20784 Diversio
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2501524.08	Developed	Right
GPM	0.0	18.3	17.5	16.6	15.8	15.0	14.2	13.4	12.6	11.8	11.0	10.2	14,2	GPM	
2014	January	February	March	April	May	June	July	August	September	October	November	December		Marco Sprii	•
Marco Spring (gallons)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524		
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	-	Permit No. 2	20784 Diversion
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524	Developed	Right
GPM	0.0	8.0	7.9	7.8	7.7	7.6	7.5	7.4	7.3	7.2	7.1	7.0	7.5	GPM	
2014														Polo Sprin	g
Polo Spring (gallons)	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Total Divert	ed & Used
Permit No. 21289 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 2	20784 Diversio
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed	Right
GPM	0.0	10.3	9.6	8.8	8.1	7.4	6.7	6.0	5.3	4.6	3.9	3.2	6.7	GPM .	•

					As C	riginally Repo	orted							
2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104
						o & Polo Spi	•							o & Polo Springs
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM	0 0 0 0.0	689,302 689,302 0 17.1	419,272 419,272 0 9.4	141,585 141,585 0 3.3	437,741 437,741 0 9.8	600,075 600,075 0 13.9	661,652 661,652 0 14.8	452,645 452,645 0 10.1	396,315 396,315 0 9.2	469,579 469,579 0 10.5	219,493 219,493 0 5.1	247,860 247,860 0 5.6	4,735,518 4,735,518 0 9.0	Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM
2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right GPM	January 0 0 0 0	February 275,721 275,721 0 6.8	March 167,709 167,709 0 3.8	April 56,634 56,634 0 1.3	May 175,096 175,096 0 3.9	June 240,030 240,030 0 5.6	July 264,661 264,661 0 5.9	August 181,058 181,058 0 4.1	September 158,526 158,526 0 3.7	October 187,832 187,832 0 4.2	November 87,797 87,797 0 2.0	December 99,144 99,144 0 2.2	1,894,207 1,894,207 - 3.6	Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM
2014 Polo Spring (gallons) Permit No. 21289 Diversion Developed Right GPM	0 0 0 0.0	413,581 413,581 0 10.3	251,563 251,563 0 5.6	84,951 84,951 0 2.0	262,644 262,644 0 5.9	360,045 360,045 0 8.3	396,991 396,991 0 8.9	271,587 271,587 0 6.1	237,789 237,789 0 5.5	281,748 281,748 0 6.3	131,696 131,696 0 3.0	148,716 148,716 0 3.3	2,841,311 2,841,311 0 5.4	Polo Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM

# [SUMMARY OF FINAL SUBMITTED VERSION] PROGRESS REPORT BY PERMITTEE FOR 2015

Primary Owner: G SCOTT FAHEY Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491 Permit Number: 021289

Source(s) of Water POD Parcel Number County
UNSP Tuolumne
UNSP Tuolumne

MAX Direct Diversion Rate: 0.089 CFS MAX Collection to Storage: 0.0 AC-FT Face Value: 64.5 AC-FT

Industrial 0.0 01/01 to 12/31

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions				
I am complying with all terms and conditions				
Description of noncompliance with terms and conditions				

3. Changes to the Project				
Intake location has been changed				
Description of intake location changes				
Type of use has changed				
Description of type of use changes				
Place of use has changed				
Description of place of use changes				
Other changes				
Description of other changes				

4-6. Permitted Project Status				
Project Status	Complete			
6a. Construction work has commenced				
6b. Construction is completed				
6c. Beneficial uses of water has commenced				
6d. Project will be completed within the time period specified in the permit				
6e. Explanation of work remaining to be done				
6f. Estimated date of completion				

	7. Purpose of Use
Industrial	Bulk Wholesale of Federally Certified Spring Water

8. Amount of Water Diverted and Used				
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)	
January	0.34	0	0.34	
February	0.31	0	0.31	
March	0.27	0	0.27	
April	0.2	0	0.2	
May	0.14	0	0.14	
June	0.07	0	0.07	
July	0	0	0	
August	0	0	0	
September	0	0	0	
October	0	0	0	
November	0	0	0	
December	0	0	0	
Total	1.33	0	1.33	
Type of Diversion	Direct Diversion Only	·	·	
Comments				

Water Transfers			
8e. Water transfered	No		
8f. Quantity transfered (Acre-Feet)			
8g. Dates which transfer occurred	/ to /		
8h. Transfer approved by			

Water Supply Contracts		
8i. Water supply contract	No	
8j. Contract with		
8k. Other provider		
8l. Contract number		
8m. Source from which contract water was diverted		
8n. Point of diversion same as identified water right		
8o. Amount (Acre-Feet) authorized to divert under this contract		
8p. Amount (Acre-Feet) authorized to be diverted in 2015		
8q. Amount (Acre-Feet) projected for 2016		
8r. Exchange or settlement of prior rights		
8s. All monthly reported diversion claimed under the prior rights		
8t. Amount (Acre-Feet) of reported diversion solely under contract		

9. Maximum Rate of Diversion for each Month		
Month Maximum Rate of Diversion (GPM)		
January	9.5	
February	9.5	
March	8	

April	7.5
May	7
June	6.5
July	0
August	0
September	0
October	0
November	0
December	0

	10. Storage				
Reservoir name		Feet below spillway at maximum storage		Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water		
11. Are you now employing water conservation efforts?		
Description of water conservation efforts		
12. Amount of water conserved		

Water Quality and Wastewater Reclamation	
13. During the period covered by this Report, did you use reclaimed water from a wastewater treatment facility, water from a desalination facility, or water polluted by waste to a degree which unreasonably affects the water for other beneficial uses?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjuctive Use of Groundwater and Surface Water		
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No	
16. Amounts of groundwater used		

Additional Remarks
Percolating Groundwater Diverted Claimed as a Developed Water Right

Attachments		
File Name	Description	Size
2015 Water Rights Reporting-M&P.xls	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	58 KB

Contact Information of the Person Submitting the Form		
First Name	G. Scott	
Last Name	Fahey	
Relation to Water Right	Primary Owner of Record	
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes	

# Permit No. 021289

						2015								
	January	February	March	April	May	June	July	August	September	October	November	December	Total	
2015	2015 Marco				co & Polo Springs							2015		
Total Diverted & Used	424,080	383,040	357,120	324,000	312,480	280,800	245,520	245,520	216,000	46,172	39,668	41,555	2,915,956 Total Diverted & Used	
GPM	12.00	12.00	10.00	9.00	8.00	7.00	5.50	5.50	5.00	1.03	0.92	0.93	5.55 GPM	
Permit No. 21289 Diversion	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720 Permit No. 21289 Diversion	
GPM	9.50	9.50	8.00	7.50	7.00	6.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82 GPM	
Developed Right (Percolating Grd. Wtr.)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236 Developed Right (Percolating Grd. Wtr.)	
GPM	2.50	2.50	2.00	1.50	1.00	0.50	5.50	5.50	5.00	1.03	0.92	0.93	4.72 GPM	
2015	2015 Marco Spring									2015				
Total Marco Spring (gallons)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236 Total Diverted & Used	
GPM	7.00	7.00	6.00	6.00	6.00	6.00	5.50	5.50	5.00	1.03	0.92	0.93	4.72 GPM	
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	0 Permit No. 21289 Diversion	
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 GPM	
Developed Right (Percolating Grd. Wtr.)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236 Developed Right (Percolating Grd. Wtr.)	
GPM	7.00	7.00	6.00	6.00	6.00	6.00	5.50	5.50	5.00	1.03	0.92	0.93	4.72 GPM	
2015					F	olo Spring							2015	
Total Polo Spring (gallons)	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720 Total Diverted & Used	
GPM	2.50	2.50	2.00	1.50	1.00	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82 GPM	
Permit No. 21289 Diversion	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720 Permit No. 21289 Diversion	
GPM	2.50	2.50	2.00	1.50	1.00	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82 GPM	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0 Developed Right (Percolating Grd. Wtr.)	
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 GPM	

 $0.34251095 \ \ 0.30936473 \ \ 0.27400876 \ \ 0.19887733 \ \ 0.13700438 \ \ 0.06629244$ 

#### Permit No. 021289 Marco & Polo Springs

REVISED 2014														
REVISED 2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104 REVISED
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
Permit No. 21289 Diversion	0	566,797	340,843	141,585	307,284	381,645	396,991	271,587	237,789	281,748	131,696	148,716	2,233,994	Permit No. 21289 Diversion
GPM		14.1	7.6	3.3	6.9	8.8	8.9	6.1	5.5	6.3	3.0	3.3	4.3	GPM
Developed Right (Percolating Grd. Wtr.)	0	122,505	78,429	0	130,456	218,430	264,661	181,058	158,526	187,832	87,797	99,144	2,501,524	Developed Right (Percolating Grd. Wtr.)
GPM		3.0	1.8	0.0	2.9	5.1	5.9	4.1	3.7	4.2	2.0	2.2	4.8	GPM
					N	/larco Spring	l							
	January	February	March	April	May	June	July	August	September	October	November	December		
Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144		3 (9 )
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM
Permit No. 21289 Diversion	0	153,216.0	89,280.0	56,633.9	44,640.0	21,600.0	0	0	0	0	0	0	365,370	
GPM	0.0	3.8	2.0	1.3	1.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.7	GPM
Developed Right (Percolating Grd. Wtr.)	0	122,504.7	78,428.6	0.0	130,456.3	218,429.9	264,661	181,058	158,526	187,832	87,797	99,144	1,528,837	Developed Right (Percolating Grd. Wtr.)
GPM	0.0	3.0	1.8	0.0	2.9	5.1	5.9	4.1	3.7	4.2	2.0	2.2	2.9	GPM
						Polo Spring								5.5.4.1.3
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	. 0.0
GPM	0.0 0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM
Permit No. 21289 Diversion GPM	U	413,581 10.3	251,563 5.6	84,951 2.0	262,644 5.9	360,045	396,991 8.9	271,587 6.1	237,789	281,748	131,696 3.0	148,716 3.3	2,841,311 5.4	Permit No. 21289 Diversion GPM
	0	0	0	0	5.9 0	8.3 0	8.9 0	0.1	5.5 0	6.3 0	0	0	0	
Developed Right GPM	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	Developed Right GPM
	0.00	1.74	1.05	0.43	0.94	1.17	1.22	0.83	0.73	0.86	0.40	0.46	6.86	3
					As C	riginally Reno	rted							
2014	January	February	March	April	As C May	riginally Repo June	rted July	August	September	October	November	December	Total	2104
2014	January	February	March	April				August	September	October	November	December	Total	2104
2014	January	February	March	April	May		July	August	September	October	November	December		2104 co & Polo Springs
Total Diverted & Used	0	689,302	419,272	141,585	May <b>Marc</b> 437,741	June to & Polo Spri 600,075	July i <b>ngs</b> 661,652	452,645	396,315	469,579	219,493	247,860	<b>Marc</b> 4,735,518	co & Polo Springs Total Diverted & Used
Total Diverted & Used Permit No. 20784 Diversion	0	689,302 689,302	419,272 419,272	141,585 141,585	May <b>Marc</b> 437,741 437,741	June <b>to &amp; Polo Spr</b> 600,075 600,075	July ings 661,652 661,652	452,645 452,645	396,315 396,315	469,579 469,579	219,493 219,493	247,860 247,860	<b>Marc</b> 4,735,518 4,735,518	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion
Total Diverted & Used Permit No. 20784 Diversion Developed Right	0 0 0	689,302 689,302 0	419,272 419,272 0	141,585 141,585 0	May  Marc  437,741  437,741	June  50 & Polo Spr 600,075 600,075 0	July ngs 661,652 661,652	452,645 452,645 0	396,315 396,315 0	469,579 469,579 0	219,493 219,493 0	247,860 247,860 0	<b>Marc</b> 4,735,518 4,735,518 0	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion Developed Right
Total Diverted & Used Permit No. 20784 Diversion	0	689,302 689,302	419,272 419,272	141,585 141,585	May <b>Marc</b> 437,741 437,741	June <b>to &amp; Polo Spr</b> 600,075 600,075	July ings 661,652 661,652	452,645 452,645	396,315 396,315	469,579 469,579	219,493 219,493	247,860 247,860	<b>Marc</b> 4,735,518 4,735,518	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM	0 0 0 0	689,302 689,302 0 17.1	419,272 419,272 0 9.4	141,585 141,585 0 3.3	May Marc 437,741 437,741 0 9.8	June  50 & Polo Spr 600,075 600,075 0 13.9	July ngs 661,652 661,652 0 14.8	452,645 452,645 0 10.1	396,315 396,315 0 9.2	469,579 469,579 0 10.5	219,493 219,493 0 5.1	247,860 247,860 0 5.6	Marc 4,735,518 4,735,518 0 9.0	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM	0 0 0 0.0 January	689,302 689,302 0 17.1	419,272 419,272 0 9.4 March	141,585 141,585 0 3.3 April	May  Marc  437,741  437,741  0  9.8  May	June  o & Polo Spr  600,075  600,075  0  13.9  June	July  ngs 661,652 661,652 0 14.8 July	452,645 452,645 0 10.1	396,315 396,315 0 9.2 September	469,579 469,579 0 10.5	219,493 219,493 0 5.1 November	247,860 247,860 0 5.6	<b>Marc</b> 4,735,518 4,735,518 0 9.0	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM 2014 Marco Spring (gallons)	0 0 0 0.0 January	689,302 689,302 0 17.1 February 275,721	419,272 419,272 0 9.4 March 167,709	141,585 141,585 0 3.3 April 56,634	May  Marc  437,741  437,741  0  9.8  May  175,096	June  8 Polo Spr 600,075 600,075 0 13.9  June 240,030	July 661,652 661,652 0 14.8 July 264,661	452,645 452,645 0 10.1 August 181,058	396,315 396,315 0 9.2 September 158,526	469,579 469,579 0 10.5 October 187,832	219,493 219,493 0 5.1 November 87,797	247,860 247,860 0 5.6 December 99,144	Marc 4,735,518 4,735,518 0 9.0	co & Polo Springs  Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion	0 0 0 0.0 January 0	689,302 689,302 0 17.1 February 275,721 275,721	419,272 419,272 0 9.4 March 167,709 167,709	141,585 141,585 0 3.3 April 56,634 56,634	May  Marc  437,741  437,741  0  9.8  May  175,096  175,096	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030	July ngs 661,652 661,652 0 14.8 July 264,661 264,661	452,645 452,645 0 10.1 August 181,058 181,058	396,315 396,315 0 9.2 September 158,526 158,526	469,579 469,579 0 10.5 October 187,832 187,832	219,493 219,493 0 5.1 November 87,797 87,797	247,860 247,860 0 5.6 December 99,144 99,144	<b>Marc</b> 4,735,518 4,735,518 0 9.0	co & Polo Springs  Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right	0 0 0 0.0 January 0 0	689,302 689,302 0 17.1 February 275,721 275,721	419,272 419,272 0 9.4 March 167,709 167,709	141,585 141,585 0 3.3 April 56,634 56,634 0	May  437,741 437,741 0 9.8  May 175,096 175,096 0	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030 0	July ngs 661,652 661,652 0 14.8 July 264,661 264,661 0	452,645 452,645 0 10.1 August 181,058 181,058 0	396,315 396,315 0 9.2 September 158,526 158,526	469,579 469,579 0 10.5 October 187,832 187,832 0	219,493 219,493 0 5.1 November 87,797 87,797 0	247,860 247,860 0 5.6 December 99,144 99,144	Marc 4,735,518 4,735,518 0 9.0 1,894,207 1,894,207	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion	0 0 0 0.0 January 0	689,302 689,302 0 17.1 February 275,721 275,721	419,272 419,272 0 9.4 March 167,709 167,709	141,585 141,585 0 3.3 April 56,634 56,634	May  Marc  437,741  437,741  0  9.8  May  175,096  175,096	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030	July ngs 661,652 661,652 0 14.8 July 264,661 264,661	452,645 452,645 0 10.1 August 181,058 181,058	396,315 396,315 0 9.2 September 158,526 158,526	469,579 469,579 0 10.5 October 187,832 187,832	219,493 219,493 0 5.1 November 87,797 87,797	247,860 247,860 0 5.6 December 99,144 99,144	Marc 4,735,518 4,735,518 0 9.0	co & Polo Springs  Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right	0 0 0 0.0 January 0 0	689,302 689,302 0 17.1 February 275,721 275,721	419,272 419,272 0 9.4 March 167,709 167,709	141,585 141,585 0 3.3 April 56,634 56,634 0	May  437,741 437,741 0 9.8  May 175,096 175,096 0	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030 0	July ngs 661,652 661,652 0 14.8 July 264,661 264,661 0	452,645 452,645 0 10.1 August 181,058 181,058 0	396,315 396,315 0 9.2 September 158,526 158,526	469,579 469,579 0 10.5 October 187,832 187,832 0	219,493 219,493 0 5.1 November 87,797 87,797 0	247,860 247,860 0 5.6 December 99,144 99,144	Marc 4,735,518 4,735,518 0 9.0 1,894,207 1,894,207	co & Polo Springs Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right GPM	0 0 0 0.0 January 0 0	689,302 689,302 0 17.1 February 275,721 275,721	419,272 419,272 0 9.4 March 167,709 167,709	141,585 141,585 0 3.3 April 56,634 56,634 0	May  437,741 437,741 0 9.8  May 175,096 175,096 0	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030 0	July ngs 661,652 661,652 0 14.8 July 264,661 264,661 0	452,645 452,645 0 10.1 August 181,058 181,058 0	396,315 396,315 0 9.2 September 158,526 158,526	469,579 469,579 0 10.5 October 187,832 187,832 0	219,493 219,493 0 5.1 November 87,797 87,797 0	247,860 247,860 0 5.6 December 99,144 99,144	Marc 4,735,518 4,735,518 0 9.0 1,894,207 1,894,207	co & Polo Springs  Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring  Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right GPM  2014	0 0 0 0.0 January 0 0 0	689,302 689,302 0 17.1 February 275,721 275,721 0 6.8	419,272 419,272 0 9.4 March 167,709 167,709 0 3.8	141,585 141,585 0 3.3 April 56,634 56,634 0 1.3	May  Marc  437,741  0  9.8  May  175,096  175,096  0  3.9	June  60 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030 0 5.6	July (ngs) 661,652 661,652 0 14.8 July 264,661 264,661 0 5.9	452,645 452,645 0 10.1 August 181,058 181,058 0 4.1	396,315 396,315 0 9.2 September 158,526 158,526 0 3.7	469,579 469,579 0 10.5 October 187,832 187,832 0 4.2	219,493 219,493 0 5.1 November 87,797 87,797 0 2.0	247,860 247,860 0 5.6 December 99,144 99,144 0 2.2	Marc 4,735,518 4,735,518 0 9.0 1,894,207 1,894,207	Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Polo Spring Total Diverted & Used
Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  2014 Marco Spring (gallons) Permit No. 21289 Diversion Developed Right GPM  2014 Polo Spring (gallons)	0 0 0 0.0 January 0 0 0	689,302 689,302 0 17.1 February 275,721 275,721 0 6.8	419,272 419,272 0 9.4 March 167,709 0 3.8	141,585 141,585 0 3.3 April 56,634 56,634 0 1.3	May  Marc  437,741  0  9.8  May  175,096  175,096  0  3.9	June  80 & Polo Spr 600,075 600,075 0 13.9  June 240,030 240,030 0 5.6	July 661,652 661,652 0 14.8  July 264,661 264,661 0 5.9	452,645 452,645 0 10.1 August 181,058 181,058 0 4.1	396,315 396,315 0 9.2 September 158,526 0 3.7	469,579 469,579 0 10.5 October 187,832 187,832 0 4.2	219,493 219,493 0 5.1 November 87,797 87,797 0 2.0	247,860 247,860 0 5.6 December 99,144 99,144 0 2.2	Marc 4,735,518 4,735,518 0 9.0 1,894,207 1,894,207 - 3.6	Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Marco Spring Total Diverted & Used Permit No. 20784 Diversion Developed Right GPM  Polo Spring Total Diverted & Used

Tuo	olumne Utility D	District Surplus Wa	ter Wheeled to New	Don Pedro Reservoir
Year	Annual Wheeling Ac-Ft	Credit Total Wheeled Ac-Ft	Debit to MID/TID/CCSF Ac-Ft	Foreigh Water Credit Balance in NDPR Ac-Ft
2009	44.275	44.275	0	44.275
2010	44.275	88.55	0	88.55
2011	0	88.55	0	88.55
2012	0	88.55	0	88.55
2013	0	88.55	0	88.55
2014	0	88.55	18.12	70.43
2015	0	88.55	12.21	58.22
To Date 2016	20.5	109.05	To Be Determined	78.72

#### Water Diverted & Used 2014 & 2015 **Curtailment & FASS Periods**

	2014						2015						
Permit No.	May	June	July	August	September	October	April	May	June	July	August	September	October
20784	639,117	681,103	718,556	644,405	648,128	694,220	871,664	675,003	674,496	726,186	752,983	129,365	18,828
21289	307,284	381,645	396,991	271,587	237,789	281,748	64,800	44,640	21,600	0	0	0	0
Total Gallons	946,402	1,062,747	1,115,547	915,992	885,917	975,967	936,464	719,643	696,096	726,186	752,983	129,365	18,828
Gallons as Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
* "Debit" to MID/TID/CCSF Total Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
** Foreign Water "Credit" in NDPR 88.55	85.65	82.38	78.96	76.15	73.43	70.43	67.56	65.35	63.22	60.99	58.68	58.28	58.22
						18.12							12.21

<sup>\*</sup>Pursuant to Term 34, Permit No. 21289, "Replacement Water" requested by SWRCB on behalf of MID/TID/CCSF."

\*\* Pursuant to January 26, 2004 Statement to Files by Division of Water Rights Chief, Victoria Whitney, 2003 TUD Water Exchange Agreement; and Term 34, Permit No. 21289

### Permit Nos. 20784 & 21289 Points of Use

- Nestle Waters N.A., Inc.
   777 W. Putman Ave.
   Greenwich, CT
   Bottling Arrowhead Spring Water in Livermore, CA
- 2 Absopure
  P.O. Box 701248
  Plymouth, MI 48170
  Bottling Various Brands
  in Modesto, CA
- DS Waters, Inc.
   5660 New Northside Dr.
   Atlanta, GA
   Bottling Sierra Spring Water in Milpitas, CA
- 4 Niagara Bottling, Inc. 2560 E. Philadelphia St Ontario, CA 91761 Bottling Various Brands in Stockton, CA
- DAIOHS U.S.A., Inc.
   dba DAIOHS First Choice Services
   1S660 Midwest Road, Suite 120
   Oakbrook Terrace, IL 60181
   Bottling Aqus Spring Water
   in Modesto, CA
- 6 Vito Trucking LLC 2812 Nathan Ave. Modesto, CA 95354 Providing Spring Water to Foster Farms in Delhi, CA

#### **MEMORANDUM**

TO:

Steven Herrera, Unit Chief, Environmental Review Unit #1

**DIVISION OF WATER RIGHTS** 

FROM:

Megan Sheely, Environmental Specialist

DIVISION OF WATER RIGHTS

SUBJECT: PETITION TO CHANGE 29977P971212: SUPPORTING DOCUMENTATION FOR THE DIVISION STAFF RECOMMENDATION THAT THE PROJECT IS EXEMPT, PURSUANT TO CEQA.

The petitioner seeks the right to change the location of the permitted point of diversion (Permit 20784, Water Right Application 29977) at Cottonwood Spring to a new point of diversion at Sugar Pine Spring (formerly named Annie Green Spring). Both the original point of diversion and the new proposed point of diversion are located in the Cottonwood Creek watershed, tributary to the Clavey River, thence the Tuolumne River, in Tuolumne County. The original point of diversion is located at the headwaters of Cottonwood Creek. The new point of diversion is located on a tributary to Cottonwood Creek.

The project consists of the development of Sugar Pine Spring, the installation of a water transmission line, and the installation of a 5000-gallon water storage tank. If the change is approved by the State Water Resources Control Board (SWRCB), the applicant will abandon the original point of diversion and forfeit the right to divert water at the original site. Therefore, there will be no change in the amount of water appropriated, the season of diversion, or the purpose of use. The project description also incorporates mitigation measures included in the terms and conditions of the US Forest Service (USFS) Special Use Permit and the California Department of Fish and Game (DFG) Streambed Alteration Permit. Both the USFS and the DFG have previously approved the project. Construction of the project was completed by June 2000 and no further construction is planned.

Permit 20784 authorizes the applicant to divert water from two springs in Tuolumne County: Cottonwood Spring and Deadwood Spring. The amount of water to be diverted is 0.031 cfs per spring from January 1 to December 31. The purpose of use is the commercial sale of spring water to bottled water companies. In 1996, Deadwood Spring was developed, a water transmission line was installed, and the water was put to beneficial use. In Change Petition 29977P971212 submitted on December 12 1997, the petitioner explained that the water from Cottonwood Spring was not being diverted due to the poor water quality of the spring. Subsequently, the petitioner proposed to divert water from a new source, Sugar Pine Spring, on USFS land. A buried water transmission pipeline was to be installed, originating at the spring and terminating at the existing pipeline that connects to Deadwood Spring. The petitioner also proposed to install a buried 5000 gallon water storage tank, to be used for USFS fire suppression activities.

The SWRCB accepted the change petition when the applicant agreed to the following conditions: (1) the existing site at Cottonwood Spring is abandoned (2) the amount of water diverted at the new site does not exceed the quantity that could be diverted at the existing site and (3) the priority of the right for the new point of diversion is the date of the filing for the petition of change (December 12, 1997).

The petition was noticed by the SWRCB on August 26, 1998 and one protest was received. The Central Sierra Environmental Resource Center (CSERC) alleged that the project would cause adverse effects to amphibian populations, affect the USFS assessment of the Clavey watershed, and impact the downstream habitat by diminishing flow in the unnamed tributary. In addition, CSERC expressed concerns about traffic and public safety, the water quality at Cottonwood Creek, and cumulative effects. In the protest dated, September 9, 1998, John Buckley of CSERC stated "If ... the Stanislas National Forest Service moves forward with CEQA and NEPA review of the new project and if sufficient, site-specific biological information is provided during that review, then I intend to withdraw this protest." The Division informed CSERC that site-specific biological monitoring is required as a condition of the USFS Special Use Permit Amendment, Decision Memo, M0798-13. It is the opinion of Division staff that this document addresses the environmental concerns expressed by the protestant. CSERC subsequently withdrew their protest after receiving the additional information,

In April 1998, The California Department of Fish and Game issued Streambed Alteration Agreement # 4-324-97 to include the water diversion and development of Sugar Pine Spring. The agreement includes specific provisions regarding erosion control measures and the minimal disturbance or removal of vegetation. The following bypass term is also included:

At the unnamed stream (aka Sugar Pine Spring), the Operator will at all times release spring water to the stream, at the point of diversion, a minimum of 0.5 gallons per minute (gpm). When the spring is flowing between 0.5 gpm and 2.5 gpm, the minimum release will be 50% of the flow, but never less than 0.5 gpm. At flows over 2.5 gpm, the release will be 20% of the flow or 1.0 gpm, whichever is greater.

The applicant is required to submit measurement techniques and a monitoring protocol to the DFG to ensure that the minimum bypass flows are achieved. With the incorporated mitigation measures, it is unlikely that the Sugar Pine Spring diversion will adversely affect existing fish and wildlife resources.

On July 16,1999 the USFS prepared Special Use Permit Amendment, Decision Memo M0798-13 for the purpose of providing adequate NEPA documentation for the project. The memo determined that with mitigation requirements in place, the project would not significantly alter aquatic habitats, riparian vegetation and therefore have no impact on any federally threatened or endangered species. In addition, the USFS has conducted archeological surveys at the project site. The USFS has required that the one cultural resource found in the project area be tagged and avoided prior to any construction

activities. Division of Water Rights staff (Division staff) concurred with USFS that no impacts to any prehistoric or historic sites would occur.

The proposed pipeline path was surveyed by the USFS for sensitive plants during June and July in 1999. Two occurrences of *Clarkia biloba spp*. were found along the path of the pipeline. No other sensitive species were found. The biological evaluation concluded that although the project may impact individuals of the species *Clarkia biloba australis*, the impact is not likely to contribute to a trend toward federal listing or loss of viability to the population of the species. A discussion of the impacts to sensitive plants is included in the biological evaluation prepared by the USFS.

In addition, the USFS has determined that the project will not result in a trend toward the Federal listing of any Region 5 Sensitive Fauna. Species occurrence and habitat were evaluated for all listed species that may occur in the project area. The Sugar Pine Spring drainage does not appear to have suitable habitat for foothill yellow legged frog (*Rana boylei*). Suitable roosting habitat for the spotted owl (*Strix occidentalis*) was found. However, included in the terms and conditions of the USFS Special Use Permit (OMB# 056-0082) is a limiting operating period from March 1 to August 15. With the limited operating period for construction activities in place, the USFS determined that it is unlikely impacts to spotted owl will occur. The limiting operating period is in compliance with the Interim guidelines Environmental Assessment for the California Spotted Owl and the Forest's Land Management Plan of 1991.

Pursuant to the terms and conditions of the Special Use Permit, the USFS has required the applicant to conduct biological monitoring downstream of the spring, using the Tuolumne County of Planning Department's monitoring protocol. The protocol is included in the Tuolumne County Conditional Use permit # 91 CUP-026 issued for the original Fahey water transmission project at Cottonwood Spring and Deadwood Spring. The protocol includes measurement of changes in riparian and wetland vegetation, flow measurements, water quality parameters, and fish, reptile and amphibian counts. A copy of the Environmental Monitoring Report for the Water Diversion / Development Project on Sugar Pine Spring for the years 1999-2000, prepared by Halstead and Associates, was submitted to the Division of Water Rights. The report concluded that the first year of diversion did not significantly impact the spring or downstream habitat. Biological monitoring of the project will continue for the remainder of the 5-year study.

On June 22, 2001, Division staff and USFS conducted a site inspection of the project. USFS staff confirmed that the petitioner was in complete compliance with all terms and conditions of the USFS Special Use Permit. Division staff concurred with the USFS findings that the project as described with incorporated mitigation measures would not have a significant effect on the environment. Division staff recommends that Change Petition 29977P971212 qualify for an exemption under the Categorical Exemption Class 4, in accordance with Title 14, California Code of Regulations, Section 15304.

ATTACHMENG977

G. SCOTT FAHEY 120 North Bryan Oakdale, CA 95361 209/479-8479 (Mobile) 209/948-0333 (Office)

May 13, 1992

JAMES W. KASSEL, P.E. State of California SWRCB, Division of Water Rights P. O. Box 2000 Sacramento, CA 95810

Subject: Application #29977 to Appropriate Water

Dear Mr. Kassel,

Please find enclosed a letter from Turlock and Modesto Irrigation Districts' (TID and MID) counsel regarding the above subject, and my response exchange proposal. My contact with TID and MID is Mr. LeRoy Kennedy of TID, (209) 883-8270. Mr. Kennedy informed me last week that the Districts' counsel and staff shall meet this week, and discuss my exchange proposal.

I consider this proposal acceptable in principle, thus my request for water rights should be granted, conditional upon a logistical solution to MID's and TID's concern "that a sufficient amount of water is being transferred". It seems reasonable that a water meter in line with the ground water pump discharge could solve the "sufficient amount of transfer" problem. Then this groundwater meter could be compared with a similar meter located at the tanker fill point. I have no objection to MID and TID keeping both meters under lock and key to ensure the diversion and replenishment amounts are equal.

I shall forward any future correspondence from MID and TID to you as it arrives. I am sorry for the delay with this information and will be more timely in the future.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

G. SCOTT FAHEY
Resident Engineer

jh enc. G. SCOTT FAHEY 120 North Bryan Oakdale, CA 95361 209/479-8479 (Mobile) 209/948-0333 (Office)

April 7, 1992

LeRoy Kennedy Turlock Irrigation District P. O. Box 949 Turlock, CA 95381

Subject: Diversion of Deadwood and Cottonwood Spring Waters

Dear Mr. Kennedy,

Please find attached a map showing a proposed source of ground-water available for pumping and release into Lake Don Pedro.

My proposal to TID/MID:

Any water Scott Fahey diverts from Cottonwood and/or Deadwood Springs, pursuant to SWRCB Appropriation of Water Rights Application #29977, between June 15 and October 31 of any year shall be replenished by pumping from a groundwater source into Lake Don Pedro, at a constant rate until a gallon for gallon exchange between diversion from and groundwater replenishment to Lake Don Pedro has been achieved.

With respect to TID/MID operations and water rights, I believe this proposal would mitigate any impact from my proposed diversion. If the District could please give a very basic response to the merit of my proposal, then I shall shortly forward the \$500 the District may require to legally implement the above proposal.

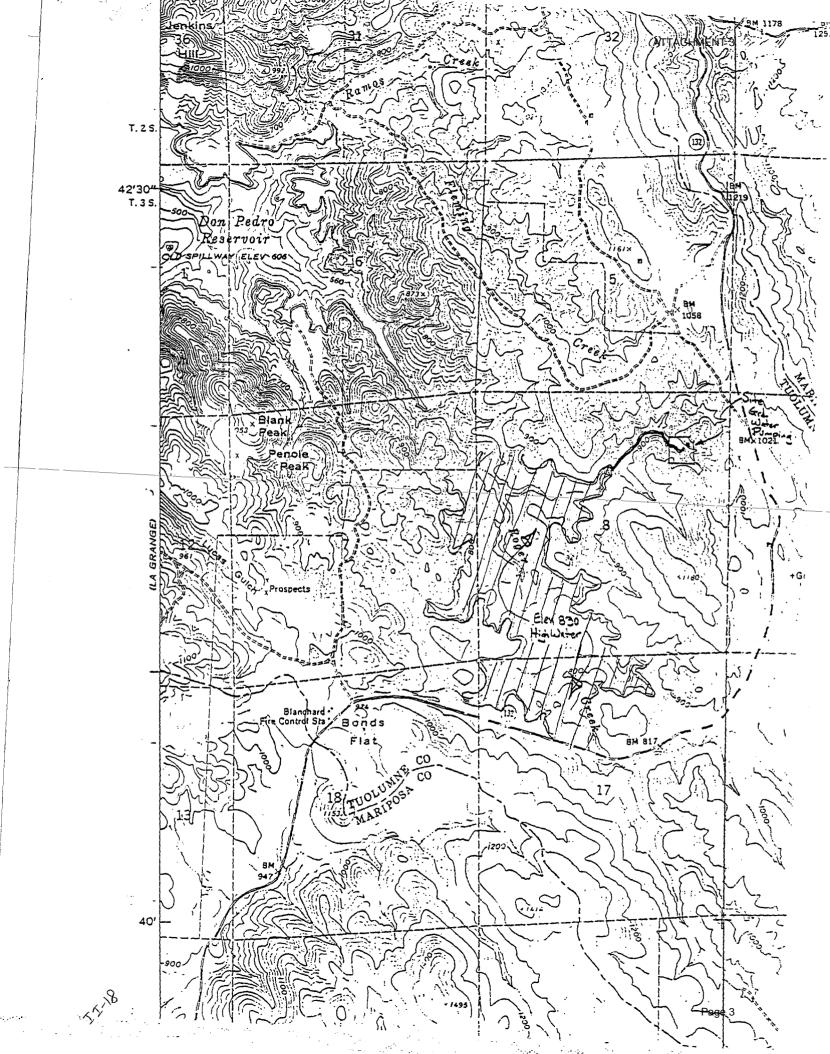
Very truly yours,

G. SCOTT FAHEY

jh

attachment

J H - 5 - K E N N E 7



### GRIFFITH & MASUDA

ATTORNEYS AND COUNSELORS AT LAW

517 EAST OLIVE STREET
TURLOCK, CALIFORNIA 95380
(209) 667-5501

PLEASE REPLY TO
P. O. BOX 510

TURLOCK, CA 95381-0510

FAX (209) 667-8176

SARA J. LIMA
OF COUNSEL
LIN H. GRIFFITH \*

ROGER K. MASUDA \*

ARTHUR F. GODWIN

PROFESSIONAL LAW CORPORATION

February 7, 1992

Mr. G. Scott Fahey 120 North Bryan Oakdale, CA 95361

RE: Application No. 29977

Dear Mr. Fahey:

After considerable review by the Modesto and Turlock Irrigation Districts, we have determined that your proposed diversion of water would affect the water rights of the two districts. We can see no convenient way to accommodate your project without affecting our water rights and project operations. Any water transfer will require considerable supervision by the Districts to ensure that a sufficient amount of water is being transferred.

Your recent proposal involving the purchase of land near Lake Don Pedro and transferring water from Lake McClure has some merit, and we would be interested in pursuing this further with you. Before the Turlock Irrigation District evaluates any serious proposals, however, the District will require a deposit of \$500.00 to cover any necessary legal fees and staff time. I strongly suggest that you find out first if such a transfer from Lake McClure is possible.

Very truly yours,

**GRIFFITH & MASUDA** 

Arthur F. Godwin

Attorney for the Turlock

Irrigation District

cc: LeRoy Kennedy Warren Gant, Esq.

JM 2997

G. Scott Fahey 2418 Pleasanton Avenue Boise, Idaho 83702 (208) 334-4180, Ext. 251

11 July 1994

Yoko Mooring
State Water Resource Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, California 95812-2000

Re: Protest of Appropriation Application
# 29977, by City and County of San Francisco, California

Dear Ms. Mooring:

The City and Count of San Francisco and I have come to an impasse with respect to resolving the above referenced subject. Therefore, I request that the SWRCB initiate a field study to determine whether appropriation application #29977 merits approval despite the City's protest.

I have offered to provide the City with "make-up" water, during the time it claims to have senior diversion rights, with ground water introduced into Lake Don Pedro. This is the same proposal the SWRCB deemed acceptable and a resolution to the conflict between appropriation #29977 and SWRCB D-955. However, the City considers that any groundwater within the Toulumne River Basin is linked to Lake Don Pedro, and its use as "make-up" water for diverted surface water is unacceptable.

Nevertheless, I attempted a compromise. I offered to purchase any water diverted during the time the City claims to have senior diversion rights. This offer was rejected with no explanation. The City admits it sells water to others, but will not consider the same arrangement for me. I view the City's position as arbitrary and capricious, and therefore, I must file this request.

If you have any questions, please do not hesitate to contact me.

Sincerely.

G. Scott Fahev

(916) 657-1965 FAX: 657-1485

In Reply Refer to:331:YM:29977

# FEBRUARY 1 1995

Mr. G. Scott Fahey 2418 Pleasanton Boise, ID 83702 City & County of San Francisco c/o Ms. Christiane Hayashi City Hall, Room 287 San Francisco, CA 94102

Dear Mr. Fahey and Ms. Hayashi:

APPLICATION 29977 OF FAHEY, DEADWOOD SPRING AND COTTON WOOD SPRING IN TUOLUMNE COUNTY

Enclosed for your information is a copy of our report of the field investigation which was conducted on September 29, 1994 pursuant to Section 1345 of California Water Code.

If you have any questions, please call me at (916) 657-1965.

Sincerely,

# ORIGINAL SIGNED BY:

Yoko Mooring Sanitary Engineering Technician Application Unit #1

Enclosure

YMOORING:ym:1/24/94:cover

SURNAME DWR.540 REV.1/86 Jm 1/31/95.

# REPORT OF FIELD INVESTIGATION UNDER WATER CODE SECTION 1345 APPLICATION 29977 OF FAHEY

UNNAMED SPRING TRIB. COTTONWOOD CREEK AND DEADWOOD SPRING TRIB. BASIN CREEK IN THE TUOLUMNE RIVER WATERSHED TUOLUMNE COUNTY

#### SUBSTANCE OF APPLICATION 29977:

Application 29977 was filed on July 12, 1991 to appropriate water from two springs as follows:

SOURCE: (1) Unnamed Spring (aka Cottonwood Spring) tributary to Cottonwood Creek thence Clavey River thence Tuolumne River, and (2) Deadwood Spring tributary to Unnamed Stream (aka Deadwood Creek) thence Basin Creek thence North Fork Tuolumne River in Tuolumne County

AMOUNT SOUGHT: 20,000 gallons per day (0.031 cubic foot per second) from Cottonwood Spring and 20,000 gallons per day from Deadwood Spring; Total of 40,000 gallons per day (0.062 cubic foot per second) not to exceed 44.82 acre-feet per year

**USE:** Industrial (Bottled Water)

SEASON OF COLLECTION: January 1 to December 31 of each year

**PLACE OF USE:** Not specified at this point. The water will be transported off-site to a bottled water plant.

#### DECLARATION OF FULLY APPROPRIATED STREAM SYSTEM:

In Order WR 91-07, the State Water Resources Control Board (SWRCB) declared the Tuolumne River fully appropriated from July 1 to October 31 (Decision 995) and Sacramento-San Joaquin Delta fully appropriated from June 15 to August 31 (Decision 1594). Section 5.1 of Order 91-07, however, provides some exceptions for the continued processing of certain applications, such as Application 29977.

#### Section 5.1

"....transactions may occur which, in effect, make water available for diversion and use by specific persons from stream systems wherein water is not otherwise available for appropriation. These transactions include water service contracts and water transfers, where a natural stream channel is used for delivery, and water exchanges. Under certain circumstances the Board requires that an application be filed and permit issued. In such cases, the Declaration should not preclude acceptance of the application nor should any such pending applications be canceled. The application process will help assure protection of other lawful users of water and instream uses."

The applicant has entered into a water exchange agreement with the Turlock Irrigation District and the Modesto Irrigation District for the period from June 16 to October 31 of each year. The agreement was executed on December 12, 1992. The Chief, Division of Water Rights, subsequently approved an exception to Order WR 91-07 pursuant to Section 5.1 of the order on January 15, 1993.

#### PROTESTS:

Application 29977 was noticed on January 29, 1993 and four protests were received against approval of the application. Two protests (Banta-Carbona Irrigation District and Central Sierra Environmental Resource Center) were withdrawn before acceptance. A protest by Tuolumne Group of the Sierra Club was accepted on March 16, 1993 and subsequently dismissed unconditionally on May 12, 1994. A protest by City and County of San Francisco (City) was accepted on March 23, 1993. The City protested the application based on injury to vested rights and environmental considerations. The City claims pre-1914 rights, and has filed Statements of Water Diversion and Use 2635, 2636, 2637 and 2638. contends that any diversion of water flowing into New Don Pedro Reservoir from the Tuolumne Basin could adversely affect the City's ability to meet its obligation to release water from the upstream facilities (Hetch Hetch Reservoir, Lake Eleanor, and Cherry Lake) into New Don Pedro Reservoir pursuant to the Raker Act of 1913. The City also alleges that Mr. Fahey's proposed pumping of groundwater into New Don Pedro Reservoir, pursuant to the applicant's water exchange agreement with the Modesto & Turlock Irrigation Districts, would occur in an area that the irrigation districts claim to be already overdrafted, thereby causing the potential for adverse environmental impacts. Due to the unresolved protest of the City, the matter of Application 29977 was scheduled for a field investigation.

#### **FIELD INVESTIGATION:**

An on-site investigation of the above application was conducted on September 29, 1994, pursuant to Water Code Section 1345. Parties present during the investigation were as follows:

G. Scott Fahey	Applicant
City & County of San Francisco	Protestant
represented by Christiane Hayashi	•
Yoko Mooring	SWRCB
William Van Dyck	

All parties met at the post office in Tuolumne City. Prior to proceeding to the proposed points of diversion, the investigation convened at a nearby picnic bench at the request of Ms. Hayashi.

Division staff explained the field investigation procedures under Water Code Section 1345 and also how staff wished to proceed with the investigation. Since the applicant and the protestant had been actively communicating with each other for the last few months in order to resolve the City's protest, the substance of the application and the protest were not summarized and the discussion was soon opened, starting with the applicant's presentation.

The applicant briefly explained his proposed project and how he had resolved the other protests. He stated that the protest filed by the Banta Carbona Irrigation District (prior vested right protest) was withdrawn because their concerns were alleviated based on a water exchange agreement. He also added that all environmental documents necessary for a water right permit had been completed.

Ms. Hayashi explained about the water bank accounting system in effect between the Irrigation Districts and the City, the flow release under the Raker Act of 1913, and the City's pre-1914 rights. She also presented an example of protest dismissal permit terms from Application 22980, which the City had protested and leading to Decision 1320 rendered in 1968. She stated that the applicant's diversion may be too insignificant to be able to assess any damage; nevertheless, his diversion would be in conflict with the City's interest. Therefore, the City could not ignore any diversion occurring in the Tuolumne watershed for its future protection.

The applicant questioned how his diversion would be counted on the City's water bank system because his streams are not listed and not measured on the City's schematic chart for accounting purposes. He also requested some revisions to the proposed dismissal conditions, especially wording regarding the collection season. Ms. Hayashi agreed to get back to him after discussing the matter with the City's consultant.

We next proceeded to the proposed points of diversion in one vehicle. On the way to the springs, we observed the location where the tanker fill station is proposed on USFS Roadway 1N04. The elevation is estimated to be approximately 3,300 feet on the Twain Harte quadrangle map. Since two springs are located at the elevation of approximately 5,300 feet, snow will prohibit access during the winter months. Accordingly, the project is proposed to divert water from the springs through a conduit, approximately 15,000 feet down to the tanker fill station. This would be the location where the applicant would actually sell the water to the bottling company. Company tanker trucks would transport the water from the fill station to their bottling plant site(s).

We next observed Deadwood Creek as it flowed down the rocky mountain side and passed underneath the highway. We also stopped at two locations affording a panoramic view facing Marble Mountain. The applicant pointed out the location of the springs and the pipe route. Photos showing this panoramic view with POD marked were submitted with the original application.

After approximately 11 miles, from Tuolumne City, on Forest Road 1N04 (Cottonwood Road), unpaved Forest Road 3N07 spurs to the north. A road sign at Road 3N07 turnoff indicates 3 miles to Fahey Meadow. The Deadwood Spring (Point of Diversion #2) is located approximately three miles north on Forest Road 3N07. Water was seeping from the spring and coming down the mountain side through a culvert underneath the road, then going down the hill forming a creek channel. Since the spring site was heavily covered by vegetation, the sound of water flowing down the mountain side could be heard, but water could not be seen until it entered the culvert.

The applicant explained that there were three springs and that the drainage of all three springs merged to create Deadwood Creek. He would divert only from one spring. He had documented the flow rate since 1989 at the discharge end of the culvert. The highest recorded flow was 24 gallons per minute and the lowest was 8 gallons per minute. Staff measured the undeveloped spring flow at 13 gallons per minute (bucket and stopwatch) at the discharge end of the culvert.

The applicant indicated that he eventually wished to drill a horizontal well to the spring for health purposes. However, this would be done in conjunction with a bottling company contract. The concept of developed water was discussed as a possible means to avoid infringement on prior rights at New Don Pedro Reservoir without having to provide makeup water. Mr. Fahey was advised to keep good records of the flow rate for different periods under natural conditions in order to establish a claim to developed water through a horizontal boring(s).

We then proceeded to Cottonwood Spring (Point of Diversion #1), which required a walk of approximately 1/4 mile. When we reached a flat area appearing as a wet meadow, a natural stream channel with about one foot width was observed immediately down from the spring. The water was flowing steadily, but the flow rate was not measured at this point. Because of dense vegetation we could not reach the spring source itself, which is almost on the southeast section corner of Section 16, T2N. R17E, MDB&M.

The applicant told us that there were also three springs here but he would divert only from one spring. He also mentioned that he was required to install a culvert at the intersection of Cottonwood Creek and the private dirt road immediately downstream from Cottonwood Spring.

Upon returning to Tuolumne City, Ms. Hayashi left the investigation. The applicant and staff then proceeded to the applicant's well site south of New Don Pedro Reservoir.

The applicant has purchased seven acres of land southeast of New Don Pedro Reservoir and has drilled a well for replacement water in order to enter into a water exchange agreement with the Modesto/Turlock Irrigation Districts. The well is located in the SW1/4 of the NE1/4 of the NE1/4 of Section 8, T3S, R15E, MDB&M. The applicant plans to discharge makeup water from this well, during the period of unavailability, into an unnamed stream tributary to the Roger Creek arm of New Don Pedro Reservoir. water level in the well was measured at 67' below the ground surface which is at an elevation of approximately 1,030'. Spillway elevation of New Don Pedro Reservoir is 800' and the reservoir was down about 100' on September 29, 1994. The applicant advised us that the well was inspected by the Irrigation District's personnel before the water exchange agreement was executed. Yield of the well is only about 6 gallons per minute or 8,640 gallons per day and thus is considered an interim source of makeup water until the applicant can contract for bringing in out of basin water. The investigation concluded at the well site.

#### SUBSEQUENT PROCEEDINGS:

In December 1994, staff was advised by both Mr. Fahey and the City that they had come to an agreement on permit conditions for resolution of the City's protest.

#### AVAILABILITY OF UNAPPROPRIATED WATER:

As a prerequisite to issuance of a permit to appropriate water, there must be water available to supply the applicant taking into consideration prior rights and instream needs.

Provisions, in any permit issued pursuant to Application 29977, requiring replacement water to New Don Pedro Reservoir for all water diverted from the springs during the period June 16 through October 31 will protect all prior rights at and below the reservoir during this period. Similar provisions during the period November 1 through June 15 will protect the prior rights of the Districts and the City at such times that diversion from the springs would be adverse to their rights at New Don Pedro Reservoir. Lastly, there are no prior rights of record between the springs and New Don Pedro Reservoir. Minimum instream bypass flows from the springs are required as part of the Streambed Alteration Agreement between the applicant and the Department of Fish and Game.

In view of the above, staff concludes that water is available for appropriation.

PREPARED BY:

Yoko Mooring

Sanitary Engineering Technician

SUPERVISED BY:

Wm. Van Dyck

Associate WRC Engineer

toko Mooring-

Attachments

#### STATE WATER RESOURCES CONTROL BOARD

PAUL R. BONDERSON BUILDING 901 P STREET SACRAMENTO, CALIFORNIA 95814 (916) 653-0438 FAX: 657-1485 Mailing Address

#### **DIVISION OF WATER RIGHTS**

P.O BOX 2000, Sacramento, CA 95812-2000



In Reply Refer
to:331:WV:29977

OCTOBER 11 1994

Mr. G. Scott Fahey 2418 Pleasanton Avenue Boise, ID 83702

Dear Mr. Fahey:

APPLICATION 29977--DEADWOOD AND COTTONWOOD SPRINGS IN TUOLUMNE COUNTY

I enjoyed meeting you on September 29, 1994 at the field investigation on the above referenced application and hope that further negotiations with Ms. Chris Hayashi will be fruitful.

As per your request, I am forwarding a copy of a legal counsel opinion on the need for a water right to divert developed water. If you have any questions, I can be reached at (916) 653-0438.

Sincerely, ORIGINAL SIGNED BY:

Wm. Van Dyck Associate WRC Engineer Application Unit #1

Enclosures

WVanDyck:pminer:10-6,7-94 o:wv:29977