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

S000136

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

BEN MAZZONE

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

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:
BEN MAZZONE
20846 ALMADEN RD
SAN JOSE, CA 95120

Phone No. 408-268-5420
Fax No. 408-268-5420
E-mail Address: BMAZØØ@AOL.COM

Agent:
Address:

Phone No.
Fax No.
E-mail Address:

Source Name: ALAMITOS CREEK
Tributary To:
County: Santa Clara
Diversion within: NE 1/4 of NW 1/4 Section 1, T 9 S, R 1 E, MDB&M

Year of First Use: 1964
Name of Diversion works:
Assessor Parcel Number of the Diversion site:

2009 APR 29 AM 11:34

A. **Water is Used Under:** Riparian claim X Pre-1914 claim ____ Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

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

?

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006					1	1	1	1					4
2007					1	1	1	1					4
2008					1	1	1	1					4

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering 10 Head; Domestic _____;
Other (specify) _____

Parcel Number(s) of Place of Use: 742-05-009

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO X
Describe any water conservation efforts you have initiated: _____

?

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

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

Reduction in consumptive use:
Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

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

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

   b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

   Amount of reduced diversion:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

   State the type of substitute water supply: _____

   Amount of substitute water supply used:
   Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)
   I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

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

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

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

DATE: 4-27, 2009 at SANTA CLARA, California

SIGNATURE: Ben Mazzone

PRINTED NAME: BEN (first name) W (middle initial) MAZZONE (last name)

COMPANY NAME: _____

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

ITEM CONTINUATION

_____ _____

_____ _____

_____ _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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

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

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

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

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

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

S000136%S%2005
2003, 2004, 2005

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.
***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**
Owner of Record: BEN MAZZONE;

STATE WATER RESOURCES CONTROL BOARD
2006 JUL 28 PM 12: 34
DIV OF WATER RIGHTS SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
BEN MAZZONE
20846 ALMADEN RD
SAN JOSE, CA 95120

STATEMENT NO: S000136
CONTACT PHONE NO: (408)266-6420

Source Name: ALAMITOS CREEK
Tributary To: GUADALUPE RIVER
County: Santa Clara
Diversion Within: NE1/4 of NW1/4 Section 01, T09S, R01E, MB&M
Year of First Use: 1964
Parcel Number: 742-05-009

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right ✓ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) 1964

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2003				✓	✓	✓	✓	✓	✓				?
2004				✓	✓	✓	✓	✓	✓				?
2005				✓	✓	✓	✓	✓	✓				?

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering ✓; Domestic _____

Other (specify) _____

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) N/A

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ___
   Describe any water conservation efforts you have initiated: N/A

   b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

   Reduction in Diversions:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

   Reduction in consumptive use:

   Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

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

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ____ NO X.

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

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

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO ✓.

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

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

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

DATE: 7/25 2006 at SANTA CLARA, California

SIGNATURE: Ben Mazzone

PRINTED NAME: BEN MAZZONE
(first name) (middle initial) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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

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

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

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

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

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

00 MAR 24 PM 2:39
DIV. OF WATER RIGHTS SACRAMENTO

STATE WATER RESOURCES CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OWNER OF RECORD: BEN MAZZONE

BEN MAZZONE
20846 ALMADEN RD
SAN JOSE, CA 95120

STATEMENT NO: [redacted]

S 0 0 0 1 3 6

SOURCE: ALAMITOS CREEK
TRIBUTARY TO: GUADALUPE RIVER
COUNTY: SANTA CLARA
DIVERSION
WITHIN: NE¼ OF NW¼ SECTION 1, T9S, R1E, MB&M.

TELEPHONE NUMBER: (408) 268-5420
YEAR OF FIRST USE:
PARCEL NO:

A. Water is used under: Riparian claim _____ Pre 1914 right ✓ Other (explain); _____

B. Year of first use (Please provide if missing above) 1964

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons ____ Acre-feet X Other ____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1997					2			2					4
1998					2			2					4
1999					2			2					4

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering ____ Domestic _____;

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

_____

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Are you now employing water conservation efforts? YES ___ NO ✓
   Describe any water conservation efforts you have initiated: _____

   b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right 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:

   Reductions in Diversions:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

   Reductions in consumptive use:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

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

ST-SUPPL (2-00)

AUG 29 2001

2. Water quality and wastewater reclamation

   a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _X_.

   b. If credit toward use under a claimed pre 1914 appropriative water right 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 amounts of reduced diversions and amounts of reclaimed water used:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)
   I have data to support the above surface water use reductions due to wastewater reclamation. YES ___ NO ___

3. Conjunctive use of surface water and groundwater

   a. Are you now using groundwater in lieu of surface water? YES _____ NO _X_.

   b. If credit toward use under a claimed pre 1914 appropriative right 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:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)
   I have data to support the above surface water use reductions due to conjunctive use efforts. YES ___ NO ___

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

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

DATE: 3-21, 2000 at 20846 ALMADEN Rd, SAN JOSE, California

SIGNATURE: [signature]

PRINTED NAME: BEN (first name) W. (middle init.) MAZZONE (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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S-136

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

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

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES CONTROL BOARD
1995 APR -4 AM 7:15
DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: S000136
OWNER OF RECORD: BEN MAZZONE

BEN MAZZONE
20846 ALMADEN ROAD
SAN JOSE, CA 95120

SOURCE: ALAMITOS CREEK
TRIBUTARY TO: GUADALUPE RIVER
COUNTY: SANTA CLARA
DIVERSION WITHIN: NE¼ OF NW¼ SECTION 1, T9S, R1E, MDB&M.

TELEPHONE NUMBER: (408) 268-5420
YEAR OF FIRST USE:
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) 1965.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992						½	½	½					
1993						½	½	½					
1994						½	½	½					

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 4 acres; Stockwatering ✓; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/A

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

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

DATED: 3/22, 1995, at SAN JOSE, California

SIGNATURE: [signature]

PRINTED NAME: BEN (FIRST NAME) W (M. NAME) MAZZONE (LAST NAME)

COMPANY NAME: N/A

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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

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

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

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

STATEMENT NO. 5000136

DIVERSION SITE:

OWNER'S NAME BEN (FIRST) W (MIDDLE) MAZZONE (LAST)

PARCEL NO. 742-05-009

PLACE OF USE:

OWNER'S NAME SAME (FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 742-05-009
2. PARCEL NO. _____
3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:

OWNER/LESSEE/AGENT/OTHER _____

NAME SAME (FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 20846 ALMADEN Rd.
SAN JOSE (CITY) CA (STATE) 95120 (ZIP)

TELEPHONE NO. (408) 268 - 5420

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME N/A (FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

2. NAME N/A (FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

(1/95)

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 000136

BEN MAZZONE
20840 ALMADEN ROAD
SAN JOSE, CA 91520

TELEPHONE NUMBER:
(408) 268-5420

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: ALAMITOS CREEK

TRIBUTARY TO: GUADALUPE RIVER

COUNTY: SANTA CLARA YEAR OF FIRST USE:

DIVERSION
WITHIN: NE1/4 OF NW1/4 SECTION 01, T09S, R01E, MDB&M.

STATE WATER RESOURCES
1994 MAY 20 PM 2:24
DIV. OF WATER RIGHTS
SACRAMENTO

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994

A. Water is used under: Riparian claim ✓; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) 1964.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991					1½	1½	1½	1¼					1¾
1992					1½	1½	1½	1¼					1¾
1993					1½	1½	1½	1¼					1¾

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 4 acres; Stockwatering 10; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: 4-20, 19 94, at San Jose, California

Signature: Ben Mazzone

WR 40-I (1/94)
FOR0127R2

1112 1993

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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

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

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

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

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

S136

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Ben Mazzone
Address 20846 Almaden Rd. San Jose

B. Name of body of water at point of diversion Alamitos
Tributary to

C. Place of diversion ¼ ¼ Section , Township , Range , County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works

E. Capacity of diversion works cubic feet per second
Capacity of storage reservoir gallons per minute gallons acre-feet
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
						1.1		1.1					2.2 Acre FT

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years gallons
Minimum annual water use in recent years gallons
Type of diversion facility: gravity , pump
Method of measurement: weir , flume , electric power meter , water meter , estimate

F. Purpose of use (what water is being used for) Irrigation

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

H. Year of first use as nearly as known First year by this owner

I. Name of person filing statement
Position Organization
Address

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 1/9/67 Signature Ben Mazzone

See Instructions on Reverse Side

SWRB 40 (6-66)