TYPE OR PRINT
IN BLACK INK
(For instructions, see booklet: "How to File an Application to Appropriate Water in California")

APPLICATION NO. 32263B

**California Environmental Protection Agency**

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD
2015 AUG 11 AM 10:47
DIV OF WATER RIGHTS SACRAMENTO

# APPLICATION TO APPROPRIATE WATER

## 1. APPLICANT/AGENT A32263B

| | APPLICANT | ASSIGNED AGENT (if any) |
|---|---|---|
| Name | Monterey County Water Resources Agency | David Chardavoyne |
| | | |
| Mailing Address | 893 Blanco Circle | 893 Blanco Circle |
| City, State & Zip | Salinas, CA 93901-4455 | Salinas, CA 93901-4455 |
| Telephone | 831-755-4860 | 831-755-4860 |
| Fax | 831-424-7935 | 831-424-7935 |
| E-mail | chamblisssws@co.monterey.ca.us | chardavoynede@co.monterey.ca.us |

## 2. OWNERSHIP INFORMATION (Please check type of ownership.)

☐ Sole Owner ☐ Limited Liability Company (LLC) ☐ General Partnership*
☐ Limited Partnership* ☐ Business Trust ☐ Husband/Wife Co-Ownership
☐ Corporation ☐ Joint Venture ☒ Other Public Agency

*Please identify the names, addresses and phone numbers of all partners.

## 3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.) Add additional pages if needed and check box below and label as an attachment.

Surface flow from the Reclamation Ditch at Davis Road will be diverted to the MRWPCA Regional Treatment Plant for two purposes: 1) to create purified recycled water for injection into the Seaside Groundwater Basin and extraction through the Cal-Am Monterey distribution system; and 2) to provide additional recycled water for agricultural use in the Castroville Seawater Intrusion Project area. The water will be co-mingled at the Regional Treatment Plant with other source waters before being treated for storage or municipal use or use for irrigation. Combined uses not to exceed 2,000 acre feet. Detailed descriptions of facilities construction, potential impacts, and mitigation measures are contained the the Draft Environmental Impact Report for the Pure Water Monterey Groundwater Replenishment Project. A summary of planned facilities is contained in Section 2.

☒ *For continuation, see Attachment No.* 1 (DEIR for Pure Water Monterey Project)

## 4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

| a. PURPOSE OF USE (irrigation, domestic, etc.) | DIRECT DIVERSION | | | | STORAGE | | |
|---|---|---|---|---|---|---|---|
| | AMOUNT | | SEASON OF DIVERSION | | AMOUNT | SEASON OF COLLECTION | |
| | Rate (cfs or gpd)* | Acre-feet per annum | Beginning date (month & day) | Ending date (month & day) | Acre-feet per annum | Beginning date (month & day) | Ending date (month & day) |
| Irrigation & Municipal | 6 cfs | 2,000* | Jan. 1 | Dec. 31 | 2,000 | Jan. 1 | Dec. 31 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | Total afa | 2,000 | | Total afa | 2,000 | | |

☐ *See Attachment No.* ___ * If rate is less than 0.025 cubic feet per second (cfs), use gallons per day (gpd).

b. Total combined amount taken by direct diversion and storage during any one year will be 2,000 acre-feet.

c. Reservoir storage is: ☐ onstream ☐ offstream ☒ underground (If underground storage, attach Underground Storage Form.)

d. County in which diversion is located: Monterey County in which water will be used: Monterey

## 5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

☒ POD / ☐ PORD # 1) Reclamation Ditch tributary to Tembladero Slough thence Pacific Ocean

☐ POD / ☐ PORD # _____ tributary to _____ thence _____

☐ POD / ☐ PORD # _____ tributary to _____ thence _____

☐ POD / ☐ PORD # _____ tributary to _____ thence _____

If needed, attach additional pages, check box below and label attachment

☒ *See Attachment No.* 2 (Map showing POD, underground storage and place of use).

b. State Planar and Public Land Survey Coordinate Description:

| POD/ PORD # | CALIFORNIA COORDINATES (NAD 83) | ZONE | POINT IS WITHIN (40-acre subdivision) | SECTION | TOWN-SHIP | RANGE | BASE AND MERIDIAN |
|---|---|---|---|---|---|---|---|
| 1 | North 2,143,819 feet and East 5,777,617 | 0404 | SE ¼ of NW ¼ | 30H | 14S | 3E | MDBM |
| | | | ¼ of ¼ | | | | |
| | | | ¼ of ¼ | | | | |
| | | | ¼ of ¼ | | | | |

If needed, attach additional pages, check box below and label attachment

☒ *See Attachment No.* 2

c. Name of the post office most often used by those living near the proposed point(s) of diversion:

Salinas Main Post Office CA 93901

## 6. WATER AVAILABILITY

a. Have you attached a water availability analysis for this project? ☒ YES ☐ NO
If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation: If needed, attach additional pages, check box below and label attachment.
More than 1,500 AFY is available on average with the limited set of proposed facilities. Additional flow is available in wet periods.
☒ *See Attachment No.* 3 (Appendix P - Reclamation Ditch Yield Study)

b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board (State Water Board) during your proposed season of diversion?
☐ YES ☒ NO

c. In an average year, does the stream dry up at any point downstream of your project? ☐ YES ☒ NO
If YES, during which months? ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☐ Jun ☐ Jul ☐ Aug ☐ Sep ☐ Oct ☐ Nov ☐ Dec

d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.) If needed, attach additional pages, check box below and label attachment
See Pure Water Monterey DEIR, Section 2.5
☒ *See Attachment No.* 1 (DEIR for the Pure Water Monterey Project)

## 7. PLACE OF USE

a.

| USE IS WITHIN (40-acre subdivision) | SECTION* | TOWNSHIP | RANGE | BASE & MERIDIAN | IF IRRIGATED | |
|---|---|---|---|---|---|---|
| | | | | | Acres | Presently cultivated? |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| ¼ of ¼ | | | | | | ☐ YES ☐ NO |
| | | | | Total Acres: | | |

*Please indicate if section is projected with a "(P)" following the section number.
☒ *See Attachment No.* 2 Please provide the Assessor's Parcel Number(s) for the place of use:
See attached maps and legal descriptions.

## 8. PROJECT SCHEDULE

Project is: ☒ proposed, ☐ partially complete or ☐ complete (Year completed - _____).

Extent of completion: A draft EIR was circulated for comments on April 22, 2015.

Estimated amount of time in years it will take for construction to be completed: 3 years

Estimated amount of time in years it will take for water to be put to full beneficial use: 3 years

## 9. JUSTIFICATION OF AMOUNTS REQUESTED

a. ☒ IRRIGATION: Maximum area to be irrigated in any one year: 12,049 acres.

| CROP | ACRES | METHOD OF IRRIGATION (sprinklers, flooding, etc.) | WATER USE (Acre-feet/Yr.) | SEASON OF WATER USE | |
|---|---|---|---|---|---|
| | | | | Beginning date (month & day) | Ending date (month & day) |
| Various | 12,049 | sprinklers and | 2,000* | Jan. 1 | Dec. 31 |
| | | drip irrigation | | | |
| *irrigation use will be in the Castroville area | | | | | |

☒ *See Attachment No.* 1 (DEIR, Pure Water Monterey, Chapter 2)

b. ☐ DOMESTIC: Number of residences to be served: _____ Separately owned?
☐ YES ☐ NO Number of people to be served: _____ Estimated daily use per person is: _____ gallons per day Area of domestic lawns and gardens: _____ square feet
Incidental domestic uses:

_____
(dust control area, number and kind of domestic animals, etc.)

a. ☐ STOCKWATERING: Kind of stock: _____ Maximum number: _____
Describe type of operation: _____
(feedlot, dairy, range, etc.)

d. ☐ RECREATIONAL: Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _____

e. ☒ MUNICIPAL:

| POPULATION List for 5-year periods until use is completed | | MAXIMUM MONTH | | ANNUAL USE | | |
|---|---|---|---|---|---|---|
| Period | Population | Average daily use (gallons per capita) | Rate of diversion (cfs) | Average daily use (gallons per capita) | Acre-foot (per capita) | Total (acre-feet) |
| Present | 105,000 | 50 | | | | 2,000* |
| * municipal use is associated with the Seaside Groundwater Basin | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

☒ *See Attachment No.* 1 (DEIR, Pure Water Monterey, Chapter 2)

Month of maximum use during year: August
Month of minimum use during year: December

f. ☐ HEAT CONTROL: Area to be heat controlled: _____ net acres
Type of crops protected: _____
Rate at which water is applied to use: _____ gpm per acre
Heat protection season will begin _____ and end _____.
(month and day) (month and day)

g. ☐ FROST PROTECTION: Area to be frost protected: _____ net acres
Type of crops protected: _____
Rate at which water is applied to use: _____ gpm per acre
The frost protection season will begin _____ and end _____.
(month & day) (month & day)

h. ☐ INDUSTRIAL: Type of industry: _____

Basis for determination of amount of water needed: _____

i. ☐ MINING: Name of the claim: _____ ☐ Patented ☐ Unpatented
Nature of the mine: _____ Mineral(s) to be mined: _____
Type of milling or processing: _____
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B. & M.

j. ☐ POWER: Total head to be utilized: _____ feet
Maximum flow through the penstock: _____ cfs Maximum theoretical horsepower capable of being generated by the works (cfs x fall ÷ 8.8): _____
Electrical capacity (hp x 0.746 x efficiency): _____ kilowatts at: _____% efficiency
After use, the water will be discharged into _____ (watercourse)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B&M. FERC No.: _____

k. ☐ FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: List specific species and habitat type that will be preserved or enhanced: _____

l. ☐ OTHER: Describe use: _____
Basis for determination of amount of water needed: _____

## 10. DIVERSION AND DISTRIBUTION METHOD

a. Diversion will be by gravity by means of: _____
(dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from: a new intake into existing wet well and pump station
(sump, offset well, channel, reservoir, etc)
Pump discharge rate: six (6) ☒ cfs or ☐ gpd Horsepower: 150
Pump Efficiency: 75%

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

| CONDUIT (pipe or channel) | MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not) | CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width) (inches or feet) | LENGTH (feet) | TOTAL LIFT OR FALL | | CAPACITY (cfs, gpd or gpm) |
|---|---|---|---|---|---|---|
| | | | | feet | + or - | |
| pipe | buried PVC | 30-inch diam. | 40 | 12 | + | 6 cfs |
| | | | | | | |
| | | | | | | |

☒ *See Attachment No.* 4 (Draft Technical Memorandum, Reclamation Ditch)

d. Storage reservoirs: (For underground storage, complete and attach underground storage form)

| RESERVOIR NAME OR NUMBER | DAM | | | | RESERVOIR | | |
|---|---|---|---|---|---|---|---|
| | Vertical height from downstream toe of slope to spillway level (feet) | Construction material | Length (feet) | Freeboard: dam height above spillway crest (feet) | Surface area when full (acres) | Capacity (acre-feet) | Maximum water depth (feet) |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

☒ *See Attachment No.* 5 (Underground Storage Supplement)

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

| RESERVOIR NAME OR NUMBER | OUTLET PIPE | | | | |
|---|---|---|---|---|---|
| | Diameter in inches | Length in feet | Fall: Vertical distance between entrance and exit of outlet pipe in feet | Head: Vertical distance from spillway to entrance of outlet pipe in feet | Dead Storage: Storage below entrance of outlet pipe in acre-feet |
| | | | | | |
| | | | | | |
| | | | | | |

☐ *See Attachment No. ___*

e. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be _____ cfs. Diversion to offstream storage will be made by:
☐ Pumping ☐ Gravity

## 11. CONSERVATION AND MONITORING

a. What methods will you use to conserve water? Explain.
Continue ongoing Monterey Peninsula Water Management District water conservation efforts. Continue implementation of Monterey County Ordinance No. 03851 requiring growers to file an annual water conservation plan with MCWRA.

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir ☒ Meter ☐ Periodic sampling ☐ Other (describe)

## 12. RIGHT OF ACCESS

a. Does the applicant own all the land where the water will be diverted, transported and used?
☐ YES ☒ NO
If NO, I ☐ do ☒ do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access:
Property ownership, status of easements,and negotiation for access will commence in Quarter 3, 2015.

☐ *See Attachment No. ___*

## 13. EXISTING WATER RIGHTS AND RELATED FILINGS

a. Do you claim an existing right for the use of all or part of the water sought by this application?
☐ YES ☒ NO
If YES, please specify: ☐ Riparian ☐ Pre-1914 ☐ Registration ☐ Permit ☐ License
☐ Percolating groundwater ☐ Adjudicated ☐ Other (specify) _____

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of water diversion and use, if applicable.

☐ *See Attachment No. ___*

c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.
In the Seaside Groundwater Basin, MPWMD and Cal-Am inject water under Permits 20808A and 20808C. The MCWRA holds permits for the CSIP place of use.
☒ *See Attachment No.* 3

## 14. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☒ Yes ☐ No If yes, please explain: Other sources will be used as needed to fully supply the Seaside Groundwater Basin and CSIP. See Pure Water Monterey DEIR, Section 2.5

## 15. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at http://topomaps.usgs.gov. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☒ *See Attachment No.* 2 (map)

# ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

## 16. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: _____ Date of contact: _____
Department: _____ Telephone: (  )
County Zoning Designation:

Are any county permits required for your project? ☒ YES ☐ NO If YES, check appropriate box below:

☒ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning
☐ General plan change ☐ Other (explain):
County to be contacted after Final EIR is certified. See Pure Water Monterey Project Table 2-22.

b. Have you obtained any of the required permits described above? ☐ YES ☒ NO
If YES, provide a complete copy of each permit obtained.
☐ *See Attachment No.* ___

## 17. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project:
☐ Federal Energy Regulatory Commission ☐ U.S. Forest Service ☐ U.S. Bureau of Land Management ☒ U.S. Corps of Engineers ☐ U.S. Natural Res. Conservation Service ☒ Calif. Dept. of Fish and Game ☒ State Lands Commission ☐ Calif. Dept. of Water Resources (Div. of Safety of Dams) ☐ Calif. Coastal Commission ☐ State Reclamation Board ☐ Other (specify)

b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE | PERSON(S) CONTACTED | CONTACT DATE | TELEPHONE NO. |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

☒ *See Attachment No.* 1 DEIR Pure Water Monterey Project, Table 2-22

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake? ☒ YES ☐ NO
If YES, explain:
A diversion structure will need to be built in the Reclamation Ditch channel.

☒ *See Attachment No.* 4 (Draft Technical memorandum, Reclamation Ditch

b. Have you contacted the California Department of Fish and Game concerning your project?
☐ YES ☒ NO If YES, name, telephone number and date of contact:

## 18. ENVIRONMENTAL DOCUMENT

a. Has any California public agency prepared an environmental document for your project?
☒ YES ☐ NO

b. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency:
Monterey Regional Water Pollution Control Agency

c. If NO, check the appropriate box and explain below, if necessary:
☐ The applicant is a California public agency and will be preparing the environmental document.*
☐ I expect that the State Water Board will be preparing the environmental document.**
☐ I expect that a California public agency other than the State Water Board will be preparing the environmental document.* Public agency: _____
☐ *See Attachment No.* ___

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Board, Division of Water Rights and proof of payment of the State Clearinghouse filing fee. Processing of your application cannot be completed until these documents are submitted.

** Note: CEQA requires that the State Water Board, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the State Water Board, Division of Water Rights.

## 19. WASTE/WASTEWATER

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? ☒ YES ☐ NO

If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

There is a potential for erosion at the POD, due to rapid fluctuation in surface flow level from diversions. This can be avoided by operating pumps at levels and times that would not induce erosion.

☒ *See Attachment No.* 1 (DEIR, Pure Water Monterey Project, S-17)

b. Will a waste discharge permit be required for your project? ☒ YES ☐ NO
Person contacted: Bob Holden, MRWPCA Date of contact: June 16, 2015

c. What method of treatment and disposal will be used? Advanced water treatment will be used for Seaside Groundwater Basin injection (see Section 2.8, DEIR). Use of tertiary-treated water for agriculture is already permitted.

☒ *See Attachment No.* ___ Pure Water Monterey DEIR, Section 2.8

## 20. ARCHEOLOGY

a. Have any archeological reports been prepared on this project? ☒ YES ☐ NO

b. Will you be preparing an archeological report to satisfy another public agency? ☐ YES ☐ NO

c. Do you know of any archeological or historic sites located within the general project area?
☐ YES ☒ NO If YES, explain:

☒ *See Attachment No.* 6 Pure Water Monterey DEIR Appendix J - Cultural Resources Survey

## 21. ENVIRONMENTAL SETTING

Attach **two complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the following three locations:

☒ Along the stream channel immediately downstream from the proposed point(s) of diversion.
☒ Along the stream channel immediately upstream from the proposed point(s) of diversion.
☐ At the place(s) where the water is to be used.
☒ *See Attachment No.* 7 (photos)

# SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an $850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. If the application fees are not received, your application will not be accepted and will be returned to you. Please check the fee schedule for any fee changes prior to submitting the application.

## DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

| David E. Chardavoyne | General Manager | 7/29/15 |
|---|---|---|
| Signature of Applicant | Title or Relationship | Date |
| | | |
| Signature of Co-Applicant (if any) | Title or Relationship | Date |

**Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.**

## "APPLICATION TO APPROPRIATE WATER" CHECKLIST

**Before you submit your application, be sure to:**

- ☐ **Answer each question completely.**
- ☐ **Number, label and include all necessary attachments.**
- ☐ **Include a legible map that meets the requirements discussed in the instruction booklet.**
- ☐ **Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.**
- ☐ **Include two complete sets of color photographs of the project site.**
- ☐ **Enclose a check for the required fee, payable to the Division of Water Rights.**
- ☐ **Enclose an $850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.**
- ☐ **Sign and date the application.**

**Send the original and one copy of the entire application to:**

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