

Attachment 1(a)

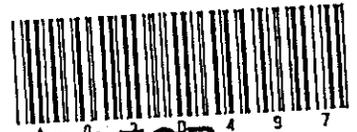
In 1997, the State Water Resources Control Board issued Permit 20905 to the Margaret Eastwood Trust and Clint Eastwood ("Eastwood") for the diversion of 195.9 AFY of water from the Carmel River underflow. The State Water Resources Control Board had earlier in 1995 reserved this same amount of water on Table 13 of Decision 1632, which reflected the amount of water use for the long established farming operations located on the Eastwood property (which is commonly known as the Coast Ranch formerly owned by the Odello family).

In 1999, a 49.1 acre portion of the property was sold to the Big Sur Land Trust. This change of ownership resulted in the revocation of Permit 20905 and the issuance of Permits 20905A to the Big Sur Land Trust and 20905B to Eastwood. Permit 20905B issued to Eastwood authorizes the diversion of 167.76 AFY on the 54.9 acres held by Eastwood for irrigation purposes on the remaining Coast Ranch.

The Permittees have submitted annual progress reports of its water use under this permit to the State Water Resources Control Board. The 1997-2006 progress reports are attached hereto as Attachment 2. As explained in these progress reports, in 1997 water use was abruptly interrupted due to the flood damage that occurred during the winter of 1997/98, which destroyed the well and artichoke crops on the property.

The well was replaced in June 1999, and thereafter the property has been leased for production of organic vegetables. However, while farming production had partially recovered after the flood with water use up 143.74 AFY in 2001, the organic crop farming had to temporarily cease production beginning in the autumn of 2002, in order to implement restoration of riparian habitat and wetlands on the adjacent property located to the west of the permittees' property. This restoration project is referred to as the Lagoon Restoration Project, and the Coastal Conservancy has been the lead agency for this restoration project. The Coastal Conservancy has done a commendable job towards restoring the area west of the Coast Ranch to riparian and wetlands. However, this restoration work is ongoing and additional flood control work is still being conducted in order to allow more periodic flooding on the Coast Ranch that will reduce the flood potential on the north side of the Carmel River.

Permittees expect that these flood control and restoration improvements will be completed in a manner that will allow the farming operation to be able to reconvene in full production by December 2016. As such, pursuant to Water Code section 1398, Margaret Eastwood and Clint Eastwood respectfully request that the State Water Resources Control Board approve a ten (10) year extension of time, or until December 2016 to allow for complete full beneficial water use under their permit.



# PROGRESS REPORT BY PERMITTEE FOR 1997

OWNER OF RECORD: CLINTON EASTWOOD, MARGARET EASTWOOD

APPLICATION: A030497

PERMIT: 020905

ALAN WILLIAMS  
 7145 CARMEL VALLEY RD  
 CARMEL, CA 93923

TELEPHONE NUMBER:  
 (408) -

IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.  
 COUNTY: MONTEREY

SOURCE:

CARMEL RIVER SUB STR

PURPOSE:

IRRIGATION  
 WILDLIFE

DIVERSION/STORAGE SEASON:

JAN 01 TO DEC 31 /  
 JAN 01 TO DEC 31 /

ACRES/HP:

104 AC  
 104 AC

A JNT: 1 CFS

AC-FT

COMPLETE USE BY: 12/31/2006

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [X] NO [ ]  
 I am complying with the conditions under which my permit has been issued: YES [X] 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.  
 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

- Has construction work commenced? YES [X] NO [ ]. Is construction completed? YES [X] NO [ ].
- If incomplete, describe briefly the work done, including cost: \_\_\_\_\_
- If not completed, give estimated date of completion: \_\_\_\_\_
- What percent of construction work remains to be done? 0 Explain: Water system construction complete except for ongoing maintenance and repair.

USE OF WATER

5. Has use of water commenced? YES [X] NO [ ]. Check appropriate box(es) below and explain how water was used.

- (a) [X] Irrigation 90 acres of artichokes (e) [ ] Municipal \_\_\_\_\_ Approximate population \_\_\_\_\_
- (b) [ ] Stockwatering \_\_\_\_\_ (f) [ ] Recreational \_\_\_\_\_ Boating, fishing, water contract sports \_\_\_\_\_
- (c) [ ] Industrial \_\_\_\_\_ Number of animals \_\_\_\_\_ (g) [ ] Power generation \_\_\_\_\_ Installed horsepower capacity \_\_\_\_\_
- (d) [ ] Domestic \_\_\_\_\_ Nature of use \_\_\_\_\_ (h) [ ] Other \_\_\_\_\_

6. Amount of water used each month under this permit in gallons or acre-feet. (If not known, check months water was used.)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	X	X	X	X	X	X	X	X	X	X	X	X	See Attachmen

(Continues on reverse)



Progress Report by Permittee for:  
Permit 02905

Following is an explanation of the information provided pursuant to items 6 and 7 of the attached Progress Report for Permit 02905.

During 1997, water from the Odello East well was used during each month for irrigation of approximately 90 acres of artichoke fields. However, as indicated in the attached materials, the water meter on this well only functioned during the months of April through August. Therefore, the meter readings, which indicate total water use of 77.9 acre-feet, do not reflect the actual water use during the year.

In issuing this permit, the State Water Resources Control Board recognized historic water use on the Odello property for irrigation of 104-acres of artichoke fields in the amount of 195.9 acre-feet per year. This equates to a water duty factor of 1.9 acre-feet of water per acre. Therefore, based on the 90 acres of artichokes cultivated during 1997, it is estimated that approximately 171 acre-feet of water was diverted for irrigation purposes.

#### Anticipated Water Use During 1998

During 1997, the property owner granted an easement over the property in favor of Monterey County for flood control purposes. In conjunction with this easement, the County lowered levies in the vicinity along the Carmel River, thereby enhancing the County's flood control abilities in the lower Carmel Valley.

These actions were instrumental in sparing the adjacent Crossroads Commercial area and the entire Mission Fields residential neighborhood from flood damage. However, as a result, the artichoke crop and the well were destroyed. Due to the flood damage, water use this year will be much lower than in previous years. The property owner is currently in the process of installing a replacement well and anticipates reestablishing agricultural uses and related diversions on the property within the next few months.

# PROGRESS REPORT BY PERMITTEE FOR

1998

OWNER OF RECORD: CLINTON EASTWOOD, MARGARET EASTWOOD

APPLICATION: A030497

ALAN WILLIAMS  
 7145 CARMEL VALLEY RD  
 CARMEL, CA 93923

PERMIT: 020905

TELEPHONE NUMBER:  
 (408) -----

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

SOURCE:

CARMEL RIVER SUB STR

COUNTY:

MONTEREY

PURPOSE:

IRRIGATION  
 WILDLIFE

DIVERSION/STORAGE SEASON:

JAN 01 TO DEC 31 /  
 JAN 01 TO DEC 31 /

ACRES/HP:

104 AC  
 104 AC

AMOUNT: 1 CFS

195.9 AC-FT

COMPLETE USE BY: 12/31/2006

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [x] NO [ ]. I am complying with the conditions under which my permit has been issued: YES [x] 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

- Has construction work commenced? YES [x] NO [ ]. Is construction completed? YES [ ] NO [x].
- If incomplete, describe briefly the work done, including cost: \_\_\_\_\_
- If not completed, give estimated date of completion: 2000
- What percent of construction work remains to be done? 25 Explain: construction of additional wells

### USE OF WATER

5. Has use of water commenced? YES [ ] NO [ ]. Check appropriate box(es) below and explain how water was used.

- (a) [x] Irrigation 90 ac. of agricultural crops ( ) Municipal \_\_\_\_\_ Approximate population \_\_\_\_\_
- (b) [ ] Stockwatering \_\_\_\_\_ (f) [ ] Recreational \_\_\_\_\_ Boating, fishing, water contract sports \_\_\_\_\_  
Number of animals
- (c) [ ] Industrial \_\_\_\_\_ (g) [ ] Power generation \_\_\_\_\_ Installed horsepower capacity \_\_\_\_\_  
Nature of use
- (d) [ ] Domestic \_\_\_\_\_ (h) [ ] Other \_\_\_\_\_  
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.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
												see attached

(Continues on reverse side)



**Progress Report by Permittee for:  
Permit 020905**

Following is an explanation of the information provided pursuant to items 6 and 7 of the attached Progress Report for Permit 020905.

In 1997, the property owner granted an easement over the property in favor of Monterey County for flood control purposes. In conjunction with this easement, the County lowered levies in the vicinity along the Carmel River, thereby enhancing the County's flood control abilities in the lower Carmel Valley.

Due to flood damage during the winter of 1997/98, the pump on the Odello East well was destroyed and as a result no water was used on this property during the 1998 calendar year. Attached is a photo illustrating the flood damage on the Odello property and newspaper articles on the flooding and easement dedication.

**Anticipated 1999 Water Use**

The well was replaced in June 1999 and the property has been leased for production of organic vegetables. Water use on the property was restored in July of 1999. Since the well was not in operation during the Spring and part of the Summer of 1999, a full season of irrigation will not be realized.

**MONTERRAY PENINSULA WATER MANAGEMENT DISTRICT**  
**Water Meter Readings for Odello East Well (Permit 020905)**

Well	Units	1/30/98	2/26/98	3/31/98	4/27/98	5/30/98	6/30/98	7/24/98	8/31/98	9/29/98	10/30/98	12/1/98	12/28/98
Odello East	100's gal.	Skipped too muddy	Skipped too muddy	Skipped	Capped	Skipped	Skipped	Skipped	Skipped	Skipped	Skipped	Skipped	Capped

Well destroyed by Flood - 1/98.

Well replaced - June 1999.

No water production reported due to El Nino storm Damage.

Source of meter readings: Monterey Peninsula Water Management District



# PROGRESS REPORT BY PERMITTEE FOR

1999

OWNER OF RECORD: CLINTON EASTWOOD, MARGARET EASTWOOD

APPLICATION: A030497

PERMIT: 020905

ALAN WILLIAMS  
 7145 CARMEL VALLEY RD  
 CARMEL, CA 93923

TELEPHONE NUMBER:  
 (831) 625-1066

IF OWNER'S NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.  
 COUNTY:

SOURCE:

MONTEREY

CARMEL RIVER SUB STR

DIVERSION/STORAGE SEASON:

ACRES/HP:

PURPOSE:

JAN 01 TO DEC 31 /  
 JAN 01 TO DEC 31 /

104 AC  
 104 AC

IRRIGATION  
 WILDLIFE

AMOUNT: 1 CFS

AC-FT

COMPLETE USE BY: 12/31/2006

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [X] NO [ ]. I am complying with the conditions under which my permit has been issued: YES [X] 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 [X] NO [ ]. Is construction completed? YES [X] NO [ ].

2. If incomplete, describe briefly the work done, including cost: Construction of a new well.

3. If not completed, give estimated date of completion: \_\_\_\_\_

4. What percent of construction work remains to be done? 0 Explain: Back-up well applied for in summer 2000.

### USE OF WATER

5. Has use of water commenced? YES [X] NO [ ]. Check appropriate box(es) below and explain how water was used.

(a) [X] Irrigation 90 ac. of agricultural crops (e) [ ] Municipal \_\_\_\_\_ Approximate population

(b) [ ] Stockwatering \_\_\_\_\_ (f) [ ] Recreational \_\_\_\_\_ Boating, fishing, water contract sports

(c) [ ] Industrial \_\_\_\_\_ Nature of use (g) [ ] Power generation \_\_\_\_\_ Installed horsepower capacity

(d) [ ] Domestic \_\_\_\_\_ Number of persons, area of garden, lawn, etc. (h) [ ] Other \_\_\_\_\_

6. Amount of water used each month under this permit in gallons or acre-feet. (If not known, check months water was used.) See Att: led

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
				0.03	0.06	19.58	4.61	Not	40.41	0.004	0.30	65

Read

(Continues on reverse side)

OF WATER (cont.)

Has use of water, both amount and season, been as great as you expect in any future year? YES [ ] NO [X]
If "No", explain under "Remarks". See attached
Has location of the intake, place of use, or type of use been changed? YES [ ] NO [X]
Did the source go dry? YES [ ] NO [X]. If so, during what months? \_\_\_\_\_

DRAINAGE PROJECTS ONLY

1. Did your reservoir spill this year? YES [ ] NO [X]. If not, how many feet below spillway vertically was the water level at maximum storage? \_\_\_\_\_ Have you emptied the reservoir? YES [ ] NO [X]. If not, how many feet below spillway vertically was it drawn down at end of season? \_\_\_\_\_

EASE 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 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.
\_\_\_\_\_ (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 polluted by waste to a degree which unreasonably affects such water for other benefits uses? YES [ ] NO [X].
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)

COJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER

15. Are you now using groundwater in lieu of surface water? YES [ ] NO [X]
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)

REMARKS (Identify the item you are explaining, additional pages may be attached.)

Multiple horizontal lines for writing remarks.

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

Dated: 2-6-01 Sign Here: [Signature] PERMITEE (OR AGENT OR DESIGNEE)

Progress Report by Permittee for:  
Permit 020905

Following is an explanation of the information provided pursuant to items 6 and 7 of the attached Progress Report for Permit 020905.

In 1997, the property owner granted an easement over the property in favor of Monterey County for flood control purposes. In conjunction with this easement, the County lowered levies in the vicinity along the Carmel River, thereby enhancing the County's flood control abilities in the lower Carmel Valley.

Due to flood damage during the winter of 1997/98, the pump on the Odello East well was destroyed and as a result no water was used on this property during the 1998 calendar year. Photos illustrating the flood damage on the Odello property and newspaper articles on the flooding and easement dedication were attached to the 1998 Progress Report.

The well was replaced in June 1999 and the property has since been leased for production of organic vegetables. State and federal law require several years of documented organic operation before a field and its crops can be certified as "organic." This property is currently undergoing the organic certification process.

Total water use in calendar year 1999 was 65 acre-feet. Pumping began in July 1999 for cover crops to strengthen the soil. It is anticipated that upon regular production of organic crops, water use will be at or near the appropriated amount.

The property owner has been working with several government entities to restore the property to the west of the Coast Ranch property to riparian and wetlands. The Coastal Conservancy is the lead agency for this project, commonly known as the "Lagoon Restoration Project." Implementation of this project would likely result in some impacts affecting water use on the Coast Ranch property. Further information will be provided as it becomes available.



# PROGRESS REPORT BY PERMITTEE FOR

Owner of Record:

CLINTON EASTWOOD; MARGARET EASTWOOD; [REDACTED]

ALAN WILLIAMS  
 7145 CARMEL VALLEY RD  
 CARMEL, CA 93923

Application No.: A030497  
 Password: 04190110023179  
 Permit: 020905  
 Phone Number: (408)106-6  
 (831) 625-1090

\*If the information above is wrong or missing, please correct.

Source Name (Display up to the first four sources)  
 CARMEL RIVER SUB STR

County Name (First POD)  
 Monterey

Purpose (Display up to the first four uses)	Diversion Season (MM/DD - MM/DD)	Storage Season (MM/DD - MM/DD)	Acres (AC)
Fish and Wildlife Protection and/or Enh	1 /1 - 12 /31	0 / 0 - 0 / 0	
Irrigation	1 /1 - 12 /31	0 / 0 - 0 / 0	104
Max DD Appl: 1	CFS	Max Storage: AC-FT	

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [X] NO [ ]. I am complying with the conditions under which my permit has been issued: YES [X] 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

- Has construction work commenced? YES [ ] NO [ ]. Is construction completed? YES [ ] NO [ ].
- If incomplete, describe briefly the work done, including cost: \_\_\_\_\_
- If not completed, give estimated date of completion: \_\_\_\_\_
- What percent of construction work remains to be done? \_\_\_\_\_ Explain: \_\_\_\_\_

## USE OF WATER

5. Has use of water commenced? YES [X] NO [ ]. Check appropriate box(es) below and explain how water was used.

- (a) [X] Irrigation 90 acres agriculture (e) [ ] Municipal \_\_\_\_\_ Approximate population \_\_\_\_\_
- (b) [ ] Stockwatering \_\_\_\_\_ (f) [ ] Recreational \_\_\_\_\_ Boating, fishing, water contract sports \_\_\_\_\_  
Number of animals
- (c) [ ] Industrial \_\_\_\_\_ (g) [ ] Power generation \_\_\_\_\_ Installed horsepower capacity \_\_\_\_\_  
Nature of use
- (d) [ ] Domestic \_\_\_\_\_ (h) [ ] Other \_\_\_\_\_  
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.) See attach

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
0.02	0	0.25	15.20	9.34	22.70	24.83	21.27	8.49	4.25	2.99	0.37	109.71

**USE OF WATER (cont.)**

- 7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] NO [X]. If "No", explain under "Remarks". See attached
- 8. Has location of the intake, place of use, or type of use been changed? YES [ ] NO [X]. Explain under "Remarks".
- 9. Did the source go dry? YES [ ] NO [X]. If so, during what months? \_\_\_\_\_

**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 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? \_\_\_\_\_

**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 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. 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 polluted by waste to a degree which unreasonably affects such water for other benefits uses? YES [ ] NO [X].
- 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)

**CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER**

- 15. Are you now using groundwater in lieu of surface water? YES [ ] NO [X]
- 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)

**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:

Dated: 2/21/02 Sign Here: [Signature]  
PERMITTEE (OR AGENT OR DESIGNEE)

**Progress Report by Permittee for:  
Permit 020905**

Following is an explanation of the information provided pursuant to items 6 and 7 of the attached Progress Report for Permit 020905.

Total water use in calendar year 2000 was approximately 110 acre-feet. The three-year organic certification process is being completed to allow production of certified organic crops in the future.

The property owner continues to work with several government entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy is the lead agency for this project, commonly known as the "Lagoon Restoration Project." Implementation of this project is likely to result in some impacts affecting water use on the property. Further information will be provided as it becomes available.

State Water Resources Control Board Order 95-10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility.

Return completed Report to:

THE 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

2001

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

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:  
**MARGARET EASTWOOD TRUST**  
7145 CARMEL VALLEY RD  
CARMEL, CA 93923

APPLICATION NO.: A030497B  
PERMIT NO.: 020905B  
CONTACT PHONE NO.: 831)6251090  
FOR ONLINE REPORTING AT  
www.waterrights.ca.gov  
USER NAME: A030497B  
PASSWORD: C29241

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
CARMEL RIVER (SUBTERRANEAN STREAM)		Monterey
CARMEL RIVER (SUBTERRANEAN STREAM)		Monterey

MAX DIRECT DIVERSION RATE: .53 CFS [Cubic feet per second (CFS) or Gallons per day (GPD)]  
MAX COLLECTION TO STORAGE AMOUNT: 0 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)
Irrigation	54.9 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: 12/31/2006

**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.

- 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.
- 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 appropriate 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. See Exhibit "A"
- 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?
  - 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?

e. 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.*

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- 54.9 acres of organic crops  
(See Exhibit "A")
- |   |                             |  |  |
|---|-----------------------------|--|--|
| a. <input checked="" type="checkbox"/> Irrigation | _____ Acres                 | f. <input type="checkbox"/> Municipal        | _____ Approximate population                 |
| b. <input type="checkbox"/> Frost Protection      | _____ Acres                 | g. <input type="checkbox"/> Domestic         | _____ No. of persons, lawn/garden area, etc. |
| c. <input type="checkbox"/> Heat Control          | _____ Acres                 | h. <input type="checkbox"/> Power Generation | _____ Installed capacity in kW, MW, or hp    |
| d. <input type="checkbox"/> Industrial            | _____ Specify               | i. <input type="checkbox"/> Recreational     | _____ Boating, fishing, water contact sports |
| e. <input type="checkbox"/> Stockwatering         | _____ No. & type of animals | j. <input type="checkbox"/> Other            | _____ Specify                                |

**AMOUNT OF WATER USED:**

8. Amount of water used each month under this permit in gallons or acre-feet (If not known, check the months that water was used.)

Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
-0-	0.05	7.61	6.46	22.56	26.43	26.69	24.62	18.93	9.29	1.10	-0-	143.74

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_
- b.  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 that 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?

13. 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.

Dated: 12-1-03 Sign here: D. Measwell, Agent Phone No.: (831) 784-2444  
PERMITTEE (OR AGENT / DESIGNEE)

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

5. The property owner continues to work with several government entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agencies for this project, commonly known as the "Lagoon Restoration Project." Implementation of this project is likely to result in some impacts affecting water use on the property. Further information will be provided in future updates. It should be noted that, in conjunction with the Big Sur Land Trust (BSLT), this total 90 acres is irrigated with a single well, and the total use reported herein is a percentage of the total amount pumped. Both property owners are leasing to the same organic farm.

State Water Resources Control Board Order 95.10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility if deemed appropriate.

Return completed Report to:

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



A030497B%P%2002

# PROGRESS REPORT BY PERMITTEE FOR 2002

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

MARGARET EASTWOOD TRUST;

APPLICATION NO.: A030497B  
PERMIT NO.: 020905B  
CONTACT PHONE NO.: (831)6251090

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

MARGARET EASTWOOD TRUST  
C/O CLINTON AND MARGARET EASTWOOD  
7145 CARMEL VALLEY RD  
CARMEL, CA 93923

FOR ONLINE REPORTING AT  
www.waterrights.ca.gov

USER NAME: A030497B  
PASSWORD: D29241

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
CARMEL RIVER (SUBTERRANEAN STREAM)		Monterey

MAX DIRECT DIVERSION RATE: .53 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]	MAX COLLECTION TO STORAGE AMOUNT: 0 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)
Irrigation	54.9 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: 12/31/2006

**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.*

**PERMITTED PROJECT STATUS:** California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriate 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:**

4.  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. See Exhibit "A"
6.  PROJECT HAS NOT BEEN COMPLETED  
If the project has not been completed, please answer the following:
  - a.  YES  NO Has construction work commenced?
  - b.  YES  NO Is construction completed?
  - c.  YES  NO Have the permitted beneficial uses of water commenced?
  - d.  YES  NO Will the project be completed within the time period specified in the permit?

e. Explain what work remains to be done: \_\_\_\_\_

f. 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.*

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- a.  Irrigation 54.9 acres of organic crops  
Acres
- b.  Frost Protection  
Acres
- c.  Heat Control  
Acres
- d.  Industrial  
Specify
- e.  Stockwatering  
No. & type of animals
- f.  Municipal  
Approximate population
- g.  Domestic  
No. of persons, lawn/garden area, etc.
- h.  Power Generation  
Installed capacity in kW, MW, or hp
- i.  Recreational  
Boating, fishing, water contact sports
- j.  Other  
Specify

**AMOUNT OF WATER USED:**

8. 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
0.01	0.06	5.59	14.86	14.20	17.16	18.40	18.97	13.56	1.86	0.004	-0-	104.68

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_
- b.  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 appropriate 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 appropriate 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?

13. 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: D. Messinger  
PERMITTEE (OR AGENT / DESIGNEE)

Date: 12-1-03

Phone No: (831) 254-2444

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

5. The property owner continues to work with several government entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agency for this project, commonly known as the "Lagoon Restoration Project." Implementation of this will result in some impacts affecting water use on the property. In fact, in Autumn 2002, the organic crop farmer was notified to temporarily cease production so that ourselves and the Big Sur Land Trust (BSLT) could assist the implementation of this public trust project. Therefore, water use in 2003 and 2004 will likely be zero or almost zero, and this will be true for both permittees for 20905A and 20905B.

Finally, please note that the water figure reported herein is calculated, in conjunction with the BSLT (holder of 20905A), based on a percentage, since the total pumped under both permits is via a single well and meter, and to a single farmer.

State Water Resources Control Board Order 95.10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility if deemed appropriate.



A030497B%P%2003

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

MARGARET EASTWOOD TRUST;

APPLICATION NO.: A030497B  
PERMIT NO.: 020905B  
CONTACT PHONE NO.: ( ) -

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

MARGARET EASTWOOD TRUST  
C/O CLINTON AND MARGARET EASTWOOD  
7145 CARMEL VALLEY RD  
CARMEL, CA 93923

#### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
CARMEL RIVER (SUBTERRANEAN STREAM)		Monterey

MAX DIRECT DIVERSION RATE: .53 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]	MAX COLLECTION TO STORAGE AMOUNT: 0 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)
Irrigation	54.9 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: 12/31/2006

**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.*

**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:**

4.  **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.
6.  **PROJECT HAS NOT BEEN COMPLETED**  
If the project has not been completed, please answer the following:
  - a.  YES  NO Has construction work commenced?
  - b.  YES  NO Is construction completed?
  - c.  YES  NO Have the permitted beneficial uses of water commenced?
  - d.  YES  NO Will the project be completed within the time period specified in the permit?
  - e. Explain what work remains to be done: See Exhibit "A".

- f. Give the estimated date of completion of the project, including maximizing beneficial use of water: See Exhibit "A". (2008)  
*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.*

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- |   |                                      |  |  |
|---|--------------------------------------|--|--|
| a. <input checked="" type="checkbox"/> Irrigation | 54.9 acres of crops plus landscaping | <input type="checkbox"/> Municipal           | _____                                  |
|   | Acres                                |  | Approximate population                 |
| b. <input type="checkbox"/> Frost Protection      | _____                                | g. <input type="checkbox"/> Domestic         | _____                                  |
|   | Acres                                |  | No. of persons, lawn/garden area, etc. |
| c. <input type="checkbox"/> Heat Control          | _____                                | h. <input type="checkbox"/> Power Generation | _____                                  |
|   | Acres                                |  | Installed capacity in kW, MW, or hp    |
| d. <input type="checkbox"/> Industrial            | _____                                | i. <input type="checkbox"/> Recreational     | _____                                  |
|   | Specify                              |  | Boating, fishing, water contact sports |
| e. <input type="checkbox"/> Stockwatering         | _____                                | j. <input type="checkbox"/> Other            | _____                                  |
|   | No. & type of animals                |  | Specify                                |

**AMOUNT OF WATER USED:**

8. 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
0	0	0	0	0	0	0	0	0	0	0	0	0

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_
- b.  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 appropriate 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 appropriate 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?

13. 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.)

See Exhibit "A"

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

Signature: 15/ Date: 8/25/05 Phone No: (831) 754-2444  
PERMITTEE (OR AGENT / DESIGNEE)

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

(d e) The property owner continues to work with several government entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agency for this project, commonly known as the "Lagoon Restoration Project." Implementation of this will result in some impacts affecting water use on the property. In fact, in Autumn 2002, the organic crop farmer was notified to temporarily cease production so that ourselves and the Big Sur Land Trust (BSLT) could assist the implementation of this public trust project. Therefore, water use in 2003 and 2004 will likely be zero or almost zero, and this will be true for both permittees for 20905A and 20905B.

State Water Resources Control Board Order 95.10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility if deemed appropriate.



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

**PROGRESS REPORT BY PERMITTEE FOR 2004**

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

APPLICATION NO.: A030497B  
 PERMIT NO.: 020905B  
 CONTACT PHONE NO.: (916) 625-1069  
 831

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:  
 ROY D KAUFMAN  
 PO BOX 450  
 CARMEL, CA 93921

**PERMIT SUMMARY**

<b>NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)</b>	<b>PARCEL NO</b>	<b>COUNTY LOCATION</b>
CARMEL RIVER (SUBTERRANEAN STREAM)	243-071-002	Monterey

**MAX DIRECT DIVERSION RATE:** .53 CFS  
 [Cubic feet per second (CFS) or Gallons per day(GPD)]

**MAX COLLECTION TO STORAGE AMOUNT:** 0 AC-FT  
 [Total reservoir(s) storage volume in acre-feet (AC-FT)]

<b>PERMITTED USE(S) OF WATER</b> (First 4 uses displayed below)	<b>ACRES</b> (AC)	<b>DIRECT DIVERSION SEASON</b> (month/day to month/day)	<b>COLLECTION TO STORAGE SEASON</b> (month/day to month/day)
Irrigation	54.9 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:** 12/31/2006

**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.*

**PERMITTED PROJECT STATUS:** California Water Code sections 1396 and 1397 requires a permittee(s) to exercise due diligence in developing an appropriate 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:**

4.  **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.
6.  **PROJECT HAS NOT BEEN COMPLETED**  
 If the project has not been completed, please answer the following:
  - a.  YES  NO Has construction work commenced?
  - b.  YES  NO Is construction completed?
  - c.  YES  NO Have the permitted beneficial uses of water commenced?
  - d.  YES  NO Will the project be completed within the time period specified in the permit? See Exhibit "A"
  - e. Explain what work remains to be done: See Exhibit "A"

f. Give the estimated date of completion of the project, including maximizing beneficial use of water: 2008 (See Exhibit "A")  
*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.*

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- |   |                                     |  |  |
|---|-------------------------------------|--|--|
| a. <input checked="" type="checkbox"/> Irrigation | <u>54.9 acres of crops</u><br>Acres | f. <input type="checkbox"/> Municipal        | _____  |
| b. <input type="checkbox"/> Frost Protection      | _____                               | g. <input type="checkbox"/> Domestic         | Approximate population _____                 |
| c. <input type="checkbox"/> Heat Control          | _____                               | h. <input type="checkbox"/> Power Generation | No. of persons, lawn/garden area, etc. _____ |
| d. <input type="checkbox"/> Industrial            | Specify _____                       | i. <input type="checkbox"/> Recreational     | Installed capacity in kW, MW, or hp _____    |
| e. <input type="checkbox"/> Stockwatering         | No. & type of animals _____         | j. <input type="checkbox"/> Other            | Boating, fishing, water contact sports _____ |
|   |                                     |  | Specify _____                                |

**AMOUNT OF WATER USED:**

8. 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
0	0	0	0	0	0.47	3.53	2.05	1.64	0.33	0.19	0	8.21

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_
- b.  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?

13. 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.)

See Exhibit "A"

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

Signature: [Signature]  
PERMITTEE (OR AGENT / DESIGNEE)

Date: 3-13-02

Phone No: (831) 754-2444

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

6(d) (e) The property owner continues to work with several government entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agency for this project, commonly known as the "Lagoon Restoration Project." Implementation of this will result in some impacts affecting water use on the property. In Autumn 2002, the organic crop farmer was notified to temporarily cease production so that ourselves and the Big Sur Land Trust (BSLT) could assist the implementation of this public trust project. Therefore, water use was very low in 2004, and will likely be zero or almost zero in 2005.

The property owner submitted grading plans to remove the portion of the property known as the 'blister', to re-align the internal access, and to facilitate future public work to allow more periodic flooding on this land that will reduce the flood potential on the north side of the Carmel River. While this grading work is going on, anticipated to begin in 2006, the water use will be temporarily lower.

State Water Resources Control Board Order 95.10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility if deemed appropriate.



A030497B%P%2005

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

# PROGRESS REPORT BY PERMITTEE FOR 2005

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

APPLICATION NO.: A030497B  
PERMIT NO.: 020905B  
CONTACT PHONE NO.: (488) 625-1069  
(831)

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

ROY D KAUFMAN  
PO BOX 450  
CARMEL, CA 93921

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
CARMEL RIVER (SUBTERRANEAN STREAM)	243-071-002	Monterey

MAX DIRECT DIVERSION RATE: .53 CFS  
[Cubic feet per second (CFS) or Gallons per day(GPD)]

MAX COLLECTION TO STORAGE AMOUNT: 0 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)
Irrigation	54.9 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: 12/31/2006

**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 listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
- 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 appropriate 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?
  - 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? See Exhibit A
- Explain what work remains to be done: See Exhibit A

- Give the estimated date of completion of the project, including maximizing beneficial use of water: 2008 (See Exhibit A)  
*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.*

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- |   |                                     |  |                     |  |
|---|-------------------------------------|--|---------------------|--|
| a. <input checked="" type="checkbox"/> Irrigation | <u>54.9 acres of crops</u><br>Acres | f. <input type="checkbox"/> Municipal        | _____               | Approximate population                 |
| b. <input type="checkbox"/> Frost Protection      | _____                               | g. <input type="checkbox"/> Domestic         | _____               | No. of persons, lawn/garden area, etc. |
| c. <input type="checkbox"/> Heat Control          | _____                               | h. <input type="checkbox"/> Power Generation | _____               | Installed capacity in kW, MW, or hp    |
| d. <input type="checkbox"/> Industrial            | _____                               | i. <input type="checkbox"/> Recreational     | _____               | Boating, fishing, water contact sports |
| e. <input type="checkbox"/> Stockwatering         | _____                               | j. <input checked="" type="checkbox"/> Other | <u>construction</u> | Specify                                |
|   | No. & type of animals               |  |                     |  |

**AMOUNT OF WATER USED:** Please report only the amounts diverted and beneficially used under this permit.

8. 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
0	0	0	0	0	0	0	0	0.074	0.311	0	0	0.385

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_
- b.  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 appropriate 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 appropriate 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?
13. 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: [Signature]  
PERMITTEE (OR AGENT / DESIGNEE)

Date: 10/9/06

Phone No: (821) 754-2464

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

6(d) (e) The property owner continues to work with conservational agencies and governmental entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agencies for this project, commonly known as the "Lagoon Restoration Project." Implementation of this will result in some impacts affecting water use on the property. In Autumn 2002, the organic crop farmer was notified to temporarily cease production so that ourselves and the Big Sur Land Trust (BSLT) could assist the implementation of this public trust project. Water use continued its very low production in 2005, and will continue to be artificially and temporarily low through most of 2006. It is anticipated that limited agriculture use can return starting in Autumn of 2006.

The property owner submitted grading plans to remove the portion of the property known as the 'blister', to re-align the internal access, and to facilitate future public work to allow more periodic flooding on this land that will reduce the flood potential on the north side of the Carmel River. While this grading work is going on, which will begin in late 2006 or early 2007, the water use will be temporarily lower.

State Water Resources Control Board Order 95-10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells further downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a 5-acre portion of the property for use as a well site and water treatment facility if deemed appropriate.



A030497B%P%2006

# PROGRESS REPORT BY PERMITTEE FOR 2006

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

ROY D KAUFMAN;

APPLICATION NO.: A030497B  
PERMIT NO.: 020905B  
CONTACT PHONE NO.: (831)625-1069

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

ROY D KAUFMAN  
PO BOX 450  
CARMEL, CA 93921

### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
CARMEL RIVER (SUBTERRANEAN STREAM)	243-071-002	Monterey

MAX DIRECT DIVERSION RATE: .53 CFS  
[Cubic feet per second (CFS) or Gallons per day(GPD)]

MAX COLLECTION TO STORAGE AMOUNT: 0 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)
Irrigation	54.9 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: 12/31/2006

**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 listed in the permit. Identify any noncompliance under "Remarks" on the reverse side.
- 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 appropriate 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:**

- REVOCAION** - 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?
  - 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? See Exhibit A
- Explain what work remains to be done: See Exhibit A

- Give the estimated date of completion of the project, including maximizing beneficial use of water: See extension request filed concurrently herein  
**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.

**BENEFICIAL USE(S) OF WATER:** (Note: See reverse side for a summary of the beneficial uses of water authorized under your permit.)

7. If your use of water has commenced, check the appropriate boxes below and explain how the water was used:

- a.  Irrigation A portion of the 54.9 acres permitted for irrigation under this permit  Municipal \_\_\_\_\_  
 Approximate population \_\_\_\_\_  
 b.  Frost Protection \_\_\_\_\_  
 Acres \_\_\_\_\_  
 c.  Heat Control \_\_\_\_\_  
 Acres \_\_\_\_\_  
 d.  Industrial \_\_\_\_\_  
 Specify \_\_\_\_\_  
 e.  Stockwatering \_\_\_\_\_  
 No. & type of animals \_\_\_\_\_  
 g.  Domestic \_\_\_\_\_  
 No. of persons, lawn/garden area, etc. \_\_\_\_\_  
 h.  Power Generation \_\_\_\_\_  
 Installed capacity in kW, MW, or hp \_\_\_\_\_  
 i.  Recreational \_\_\_\_\_  
 Boating, fishing, water contact sports \_\_\_\_\_  
 j.  Other \_\_\_\_\_  
 Specify \_\_\_\_\_

**AMOUNT OF WATER USED:** Please report only the amounts diverted and beneficially used under this permit.

8. 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
0	0	0	0	0	0	6.61	2.66	0.54	4.94	2.31	0	17.07

**STORAGE PROJECTS ONLY:** (Note: Up to 5 reservoirs may be covered under a single permit. Refer to your permit for the actual number covered.)

9. 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? \_\_\_\_\_  
 b.  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?

13. 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: Jacqueline M. Zischke Date: 12/21/07 Phone No: (831) 754-4911  
 PERMITTEE (OR AGENT / DESIGNEE)

Jacqueline M. Zischke, Derinda L. Messenger & Associates, 450 Lincoln Ave., Suite 103, Salinas, CA 93901

## EXHIBIT "A"

### Progress Report by Permittee for Permit No. 020905B

6(d) (e) The property owner continues to work with conservation agencies and governmental entities to restore a portion of the property to riparian areas and wetlands. The California Coastal Conservancy and State Parks are the lead agencies for this project, commonly known as the "Lagoon Restoration Project" and full implementation of this project will result in some impacts affecting water use on the property. In Autumn 2002, the organic crop farmer was notified to temporarily cease production so that ourselves and the Big Sur Land Trust (BSLT) could assist the implementation of this public trust project. Water use continued its very low production through 2005, and continued to be artificially low until completion of restoration efforts.

The property owner submitted grading plans to remove the portion of the property known as the 'blister', to re-align the internal access, and to facilitate future public work to allow more periodic flooding on this land that will continue to reduce the flood potential on the north side of the Carmel River. While this grading work is going on, the water use will remain temporarily low. Limited farming use returned beginning in July of 2006 and will continue to increase to its full beneficial use.

State Water Resources Control Board Order 95-10 regarding the California American Water Company (Cal-Am) includes a condition that requires Cal-Am to relocate its production wells downstream. By re-locating the wells as ordered, water would remain in the river for a longer period of time. For the health of the river, the property owner has made his intentions public to offer to Cal-Am a portion of the property for use as a well site and water treatment facility if deemed appropriate.

8.0 Please note that the Progress Report for Permit No. 020905B addresses only 85.64% of the total water use associated with the original permit issued for this site. The balance of the water use (14.36%) is reported by Big Sur Land Trust.



# GRADING PERMIT

MONTEREY COUNTY PLANNING AND BUILDING  
INSPECTION DEPARTMENT  
(831) 755-5025 (SALINAS) (831) 883-7500 (MARINA)

PERMIT NO.  
GP040120

ASSOCIATED BP/PLN# NONE PLANNER: Becker

PERMITS BECOME NULL AND VOID IF WORK IS NOT COMMENCED WITHIN 180 DAYS FROM DATE OF ISSUANCE, IF WORK IS SUSPENDED AT ANY TIME FOR MORE THAN 180 DAYS, OR IF WORK IS DONE IN VIOLATION OF ANY COUNTY OR STATE LAWS.

### LICENSED CONTRACTORS DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class: A, B License Number: 484304

Date: 5-23-05 Contractor: CARMEL DEVELOPMENT  
(This section need not be completed if the permit is for five hundred dollars (\$500) or less.)

Issue Date: 05/23/2005

Primary APN: 243-071-003-000  
Site Address: EAST SIDE HWY 1 & SO CARMEL RIVER

### OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Sec. 7031.5 Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractor' State License Law (Chapter 9 commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt there from and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500):

- I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvements are sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).
- I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code. The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors' State License Law.).
- I am Exempt under Article 3 of the Business and Professions Code.

Cross St: HWY 1

Description: REMOVE (E) BLISTER, RELOCATE (E) FARM ROAD, TEMP. STOCKPILE OF EXCESS SOILS ON SITE ALONG WITH RECEIVING STATE PARKS LOGOON RESTORATION, & REPLACEMENT BACK INTO (E) AGRUCULTURAL LAND, ALL SOUTH OF RELOCATED AG. ROAD (CUT 117,500 CY / FILL 117,500 CY)

Owner: EASTWOOD MARGARET TR & CLINTON  
EASTWOOD  
C/O KAUFMAN & BERNSTEIN  
2049 CENTURY PARK E STE 2500  
LOS ANGELES CA 90067  
(831) 625-1066

Applicant: CARMEL DEVELOPMENT COMPANY

PO BOX 450  
CARMEL CA 93921  
(831) 625-1090

Contractor: CARMEL DEVELOPMENT COMPANY

PO BOX 450  
CARMEL CA 93921  
(831) 625-1090

License #: 484304

Architect: \_\_\_\_\_  
Engineer: WWD ENGINEERING

Jou

Description	Fees Paid
Credit Card Processing	41.21
Grading Permit	1,079.50
Grading Plan Check	345.00
Plan Check Admin	160.00
Plan Storage/Scanning	7.80
Planning Review Fee	762.00
<b>Total</b>	<b>5895.51</b>

### WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

- I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- I have and will maintain workers' compensation insurance, as required by Section 3700 the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

CARRIER: STATE FUND POLICY #: 0000998-2804

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DATE: 5-23-05 APPLICANT: [Signature] V.P., CDC

**WARNING:** Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest, and attorney's fees.

### CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec 3097 Civ.)

Lender Name: \_\_\_\_\_  
Lender Address: \_\_\_\_\_

- I hereby certify that the use of this facility shall comply with Sections 25505, 25533, and 25534 of the California Health and Safety Code and regulate the storage, handling and use of hazardous materials.
- Notification in accordance with Section 19827.5 of California Health & Safety Code is not applicable to the scheduled construction of this project.
- Attached are copies of the required E.P.A. notification forms.

I hereby certify that I have read this application, that the above information is correct, and that I am the owner or the duly authorized agent of the owner. I agree to comply with all county and state laws relating to building construction. I acknowledge it is unlawful to alter the substance of any official form or document of Monterey County. I hereby authorize representatives of the County of Monterey to enter upon the above mentioned property for inspection purposes.

Signature of Applicant/Agent: [Signature] Vice Pres., CDC. Date: 5-23-05