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

ORDER

APPLICATION 21883  PERMIT 14853  LICENSE 

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
ADDING WATER CONSERVATION REQUIREMENTS, CORRECTING THE
PLACE OF USE, AND AMENDING THE PERMIT

WHEREAS:

1. Permit 14853 was issued to John J. Bower, dba North Gualala Water Company,
on September 3, 1965 pursuant to Application 21883.

2. Permit 14853 was subsequently assigned to North Gualala Water Company.

3. A petition for an extension of time within which to develop the project
and apply the water to the proposed use has been filed with the State
Water Resources Control Board (Board).

4. Permittee has proceeded with diligence and good cause has been shown for
said extension of time.

5. Orders issued on July 28, 1987 and June 29, 1988, incorrectly amended
Condition 11 of the permit. Corrections should be made to the place of
use and for the reinstatement of the original Condition 11 regarding water
quality requirements.

6. Pursuant to the Board's Water Conservation Program, municipal water
suppliers are required to prepare, adopt and implement a water
conservation management plan or action(s). Under the Board's water
conservation program an urban water supplier (i.e., a supplier, either
publicly or privately owned, providing water for municipal purposes either
directly or indirectly to less than 3,000 customers) shall adopt a water
conservation management plan. Permittee is an urban water supplier and is
therefore required to develop, adopt and implement Urban Water
Conservation Actions. Therefore Standard Permit Term 29B should be added
to the permit.

7. The Board had determined that these changes do not constitute the
initiation of a new right nor operate to the injury of any other lawful
user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The place of use be described as follows:

   Within the service area of the North Gualala Water Company, being within
   Sections 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28,
   and 34, T11N, R15W, MDB&M and Sections 12 and 13, T11N, R16W, MDB&M; as
   shown on map on file with State Water Resources Control Board. (0000004)
2. Condition 4 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE December 31, 1999

Condition 5 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE December 31, 1999

Condition 11 of the permit be amended to read:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Condition 15 is added to the permit as follows:

Permittee shall consult with the Division of Water Quality and Water Rights and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the State Water Resources Control Board for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of a water conservation program may be required by the Board at any time within this period.

All cost-effective measures identified in the water conservation program shall be implemented in accordance with the schedule for implementation found therein.

Dated: November 1, 1990

Roger Johnson, Chief
Division of Water Quality and Water Rights
WHEREAS:

1. Permit 14853 was issued to John J. Bower dba North Gualala Water Company on September 3, 1965 pursuant to Application 21883.

2. The permit was subsequently assigned to North Gualala Water Company.

3. An error has been discovered in the ORDER issued by the Board on July 28, 1987, and said Board has determined that good cause to correct the error exists.

4. Paragraph 11 of the permit should be amended to state R15W, rather than R15.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 11 on the permit be amended to read:

   Within the service area of the North Gualala Water Company being within Sections 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27, 28, and 34, T11N, R15W, MDB&M and Sections 12 and 13, T11N, R16W, MDB&M; as shown on a map on file with State Water Resources Control Board.

Dated: JUNE 29 1988

Walter G. Pettit, Chief
Division of Water Rights
ORDER APPROVING A CHANGE IN THE PLACE OF USE AND AMENDING THE PERMIT

WHEREAS:

1. Permit 14853 was issued to John J. Bower dba North Gualala Water Company on September 3, 1965 pursuant to Application 21883.
2. Permit 14853 was subsequently assigned to North Gualala Water Company.
3. A petition to change the place of use has been filed with the State Water Resources Control Board.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. Current Board policy requires inclusion of a maximum annual amount figure in permits for direct diversion projects.
6. Permit paragraph 7 pertaining to the continuity authority of the Board needs to be updated to conform to standard permit term 12 as contained in Section 780(a), Title 23, California Administrative Code.
7. Environmental review of the petitioned change revealed the need to add a special term providing protection for any rare or endangered plants which may be impacted by the change in place of use.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 11 of this permit regarding the place of use is amended as follows:

   Within the service area of the North Gualala Water Company being within Sections 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22, 23, 26, 27, 28, and 34, Tl!N, R15, M&B&M and Section 12 and 13, Tl!N, M!6W, M&B&M, as shown on map on file with State Water Resources Control Board.

2. Paragraph 1 of the permit is amended to include the following:

   The total annual diversion and use allowed under this permit and Permits 5431, 5432 and 11525 shall not exceed 1,730 acre-feet per annum.
3. Paragraph 7 of this permit are deleted. A new paragraph 7 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

4. Paragraph 14 be added to Permit 14853 to read as follows:

Permittee shall conduct a rare and endangered plant survey, submit survey results to the State Water Resources Control Board and obtain prior written approval of survey results from the State Water Resources Control Board before extending water service to any currently undeveloped parcels of land within the new place of use north of mile 5.12. The required survey shall be performed by a qualified botanist acceptable to the Department of Fish and Game and include a determination of the occurrence of rare or endangered plants and identification of specific mitigation measures that will be employed to assure that rare and endangered plants population will not be significantly impacted.

Dated: JULY 28, 1987

Raymond Walsh, Chief
Division of Water Rights
ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and
   apply the water to the proposed use has been filed with the State Water
   Resources Control Board.

2. The permittee has proceeded with diligence and good cause has been shown
   for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

   CONSTRUCTION WORK SHALL BE
   COMPLETED ON OR BEFORE December 1, 1988

   COMPLETE APPLICATION OF THE
   WATER TO THE PROPOSED USE
   SHALL BE MADE ON OR BEFORE December 1, 1988

2. Paragraph 7 of this permit is deleted. A new Paragraph 7 is added as
   follows:

   Pursuant to California Water Code Sections 100 and 275, all rights and
   privileges under this permit and under any license issued pursuant thereto,
   including method of diversion, method of use, and quantity of water
   diverted, are subject to the continuing authority of the State Water
   Resources Control Board in accordance with law and in the interest of the
   public welfare to prevent waste, unreasonable use, unreasonable method of
   use, or unreasonable method of diversion of said water.

   The continuing authority of the Board may be exercised by imposing
   specific requirements over and above those contained in this permit with a
   view to minimizing waste of water and to meeting the reasonable water
   requirements of permittee without unreasonable draft on the source.

   Permittee may be required to implement such programs as (1) reusing or
   reclaiming the water allocated; (2) using water reclaimed by another entity
   instead of all or part of the water allocated; (3) restricting diversions
   so as to eliminate agricultural tailwater or to reduce return flow; (4)
   suppressing evaporation losses from water surfaces; (5) controlling
   phreatophytic growth; and (6) installing, maintaining, and operating
   efficient water measuring devices to assure compliance with the quantity
   limitations of this permit and to determine accurately water use as against
   reasonable water requirements for the authorized project. No action will
   be taken pursuant to this paragraph unless the Board determines, after
   notice to affected parties and opportunity for hearing, that such specific
   requirements are physically and financially feasible and are appropriate to
   the particular situation.
3. Paragraph 12 is added to this permit as follows:

The State Water Resources Control Board, under its authority to conserve the public interest, retains continuing authority over this permit to require permittee to develop and implement a water conservation program, after notice and opportunity for hearing. The requirements for this term may be satisfied by permittee’s compliance with any comprehensive water conservation program, approved by the State Water Resources Control Board, which may be imposed by a public agency.

4. Paragraph 13 is added to this permit as follows:

Permittee shall install a water meter on the 4" steel pipeline which delivers the treated water diverted under this permit to the storage tank located on elevation 1975. This meter should be capable of measuring the flow of water delivered by the pipeline and any expense for the installation and maintenance of the meter shall be borne by permittee. The monthly reading of the meter shall be reported to the State Water Resources Control Board with the annual Progress Report by Permittee.

Dated: APRIL 6, 1982

[Signature]

Raymond Walsh
Chief
Division of Water Rights
ORDER ALLOWING CHANGE IN PLACE OF USE AND AMENDING PERMIT

WHEREAS:

1. A petition for change in place of use under Permit 14853 has been filed with said Board.

2. The Board has determined that good cause has been shown for change in place of use and the change will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Permission is hereby granted to change the place of use under Permit 14853 to a place of use described as follows:

   WITHIN THE SERVICE AREA OF THE NORTH GUALALA WATER COMPANY BEING WITHIN SECTIONS 16, 17, 18, 20, 21, 22, 23, 27, 28, AND 34, T1N, R15W, MOB&M, AS SHOWN ON MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD.

2. Paragraph 7 to be amended in Permit 14853 to read as follows:

   Pursuant to Water Code Section 100, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

   This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this para-
3. Paragraph 9 of Permit 14853 be amended to read as follows:

For the protection of fish and wildlife, permittee shall during the period: (a) from November 15 through February 29, bypass a minimum of 40 cubic feet per second; (b) from March 1 through May 31, bypass a minimum of 20 cubic feet per second; (c) from June 1 through November 14, bypass a minimum of 4 cubic feet per second. The total streamflow shall be bypassed whenever it is less than the designated amount for that period.

4. Paragraph 10 be added to Permit 14853 to read as follows:

No water shall be diverted under this permit until permittee has installed a device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flows required in term 9 of this permit. Said measuring device shall be properly maintained.

5. Paragraph 11 to be added to Permit 14853 to read as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board, if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in Water Quality Control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Dated: DECEMBER 13, 1978

Clint Whitney, Executive Director
Water Rights and Administration
ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND LIMITING TOTAL ANNUAL DIVERSION

Permit 14853

APPLICATION 21883

The State Water Resources Control Board having determined that good cause has been shown for extension of time within which to develop the project proposed under Permit 14853; and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that a new development schedule be

and the same is hereby approved as follows:

Application of the water to the proposed use shall be completed on or before December 1, 1980

IT IS FURTHER ORDERED that the total combined annual diversion allowed under Permit 14853 and Permits 5431 and 5432 (Applications 9372 and 9454) be and the same is hereby limited to 1,300 acre-feet.

Dated: DEC 14 1971

K. L. Woodward, Chief
DIVISION OF WATER RIGHTS
APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, John J. Power, dba North Gualala Water Company, hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is North Fork of Gualala River located in Mendocino County, tributary to Gualala River.

2. The amount of water which applicant desires to appropriate under this application is as follows:

   (a) For diversion to be directly applied to beneficial use, ______ cubic feet per second. The point of diversion is ______.
   (b) For diversion to be stored and later applied to beneficial use, ______ acre-feet.

   3. For diversion to be directly applied to beneficial use, the water is to be applied to ______.

   4. The point of diversion is to be located ______, ______, ______, ______.

   5. The main conduit terminates in ______, ______, ______, ______.

Description of Diversion Works

NOTE.—An application cannot be approved for an amount greatly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

   (a) Diversion will be made by pumping from ______.
   (b) Diversion will be by gravity, the diverting dam being ______ feet in height (stream bed to level of overflow): ______ feet long on top; and constructed of ______.
   (c) The storage dam will be ______ feet in height (stream bed to spillway level): ______ feet long on top; have a freeboard of ______ feet, and be constructed of ______.

7. Storage Reservoir. North Gualala Water Company concrete storage tanks

The storage reservoir will flood lands in ______.

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 21633 Filed August 26, 1964, at 3:10 P.M.
3. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) ... feet; width at bottom ... feet; depth of water ... feet; length ... feet; grade ... feet per 1,000 feet; materials of construction ... earth, rock, timber, etc.

(b) Pipe line: Diameter ... inches; length ... feet; grade ... feet per 1,000 feet; total lift from intake to outlet ... feet; kind ... steel and asbestos cement

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is 1,400 gallons per minute peak demand.

The estimated cost of the diversion works proposed is $15,000.

Completion Schedule

10. Construction work will begin on or before September 1, 1964

Construction work will be completed on or before July 1, 1965

The water will be completely applied to the proposed use on or before 1975

Description of Proposed Use


11a. Survey was obtained. In the case of irrigation use was the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all acreage, describe an in a general way and show detail upon map.

Does applicant(s) own the land whereon use of water will be made?

SOME Jointly?

All joint owners should include their names on applicants and sign application at bottom of third page.

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

<table>
<thead>
<tr>
<th>Nature of Right</th>
<th>Year of First Use</th>
<th>Use made in recent years including amount if known</th>
<th>Season of Use</th>
<th>Source of Other Supply</th>
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Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The tract to be irrigated is ... acres.

The segregation of acreage is as follows: Rice ... acres; alfalfa ... acres; orchard ... acres; general crops ... acres; pasture ... acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about ... and end about ...

14. Power Use. The total fall to be utilized is ... feet.

The maximum amount of water to be used through the penstock is ... cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is ... horsepower.

The use to which the power is to be applied is ... Turbine, Pump, Wheat, etc.

The size of the nozzle to be used is ... inches.

The water will be returned to ... Name reason ...

NOTE.—Add any other information.

Submit this form to the State Water Rights Board at...
13. Municipal Use. This application is made for the purpose of serving ________________

having a present population of 1500.

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:
- 1965: 112,500 gallons per day
- 1970: 500,000 gallons per day
- 1975: 1,200,000 gallons per day

14. Mining Use. The name of the mining property to be served is _____________________________

and the nature of the mines is ____________________________.

The method of utilizing the water is ____________________________.

It is estimated that the ultimate water requirement for this project will be ___________.

The water will be polluted by chemicals or otherwise ____________________________.

17. Other Uses. The nature of the use proposed is ____________________________.

3. The basis of determination of amount needed: 5,000 residences, average 3 persons per residence using average of 75 gallons per day per person (15,000 persons) = 1,225,000 gallons per day.

18. Are the maps as required by the Rules and Regulations filed with Application? YES __________. If no, state specifically the time required for filing same.

19. Does the applicant own the land at the proposed point of diversion? NO __________. If not, give name and address of owner and state what steps have been taken to secure right of access thereto. Gualala, California negotiations underway to purchase necessary rights.

20. What is the name of the post office most used by those living near the proposed point of diversion? Gualala, California.

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None.

[Signature of Applicant] /s/ John J. Bosely
DBA NORTH GUALALA WATER CO.
A PUBLIC UTILITY
This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the provisions that any appropriation of water to which a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accept a permit, does in all the conditions precedent that no value whatsoever be given to the actual amount paid to the State therefor shall at any time be assigned or be claimed by any permittee granted, or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the service or the price of the service to be rendered by any permittees or by the holder of any right granted or acquired under the provisions of this division (of the Water Code) in respect to any valuation for purposes of sale or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water districts, irrigation districts, light district, or any political subdivision of the State, of the rights and property of any permittee, or the possession of any right granted, issued, or acquired under the provisions of this division (of the Water Code).

Date: SEP 3 1965

STATE WATER RIGHTS BOARD

L. K. Hill
Executive Officer