

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 7356

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed twenty-five (25) cubic feet per second to be diverted as follows: (a) from about March 15 to about October 15 of each year for irrigation purposes and (b) throughout the year as required for domestic purposes.

The equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with vested rights.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.
3. Actual construction work shall begin on or before September 1, 1949 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.
4. Said construction work shall be completed on or before December 1, 1951
5. Complete application of the water to the proposed use shall be made on or before December 1, 1952
6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the State Engineer until license is issued.
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer 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, ~~unreasonable method of use or unreasonable method of diversion of said water.~~

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 statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit 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 services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Witness my hand and the seal of the
Department of Public Works of the State of California
this 22nd day of April 19 49

EDWARD HYATT, State Engineer



STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

PERMIT TERMS

Application No. 12367 Filled out by S.S.S. Date 4-6-49

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used and shall not exceed twenty-five (25) cubic feet per second to be diverted as follows: (a)

from about March 15 to about October 15 of each ^{year} season-

for irrigation purposes and (b) throughout the year as required for domestic purposes

In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with vested rights.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before September 1, 1949 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1951

5. Complete application of the water to the proposed use shall be made on or before December 1, 1952

6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the State Engineer until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer 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, and to prevent unreasonable interference with vested rights.

CHARGES FOR PERMIT

AGRICULTURAL			POWER		
SCHEDULE	ACRES	CHARGE	SCHEDULE	THEO. HORSE POWER	CHARGE
0 to 100 @ 5¢			0 to 100 @ 10¢		
100 to 1000 @ 3¢			100 to 1000 @ 5¢		
1000 and over @ 2¢			1000 and over @ 1¢		
Fees already paid in connat with App 4743	3100.00	\$ 0.00			
Totals Exempt	251.83	\$ 0.00			
Total	3351.83	\$ 0.00			

Terms OK. Harrison Smithson

Permit No. 7356

Date approved _____

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

Application No. 12367 Filed March 1, 1948 at 12:17 P. M.
DEC 15 1948 (applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

This application involves in no way the right to construct a dam

I, Carmichael Irrigation District (over)
Name of applicant
of P.O. Box 6198 Sacramento County of Sacramento
Post office
State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, SUBJECT TO EXISTING RIGHTS:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is American River
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Sacramento County, tributary to Sacramento 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 without storage 25.0 cubic feet per
1 cubic foot per second equals 40
statute miner's inches or 646,317
gallons per day
second, to be diverted from January 1 to December 31 of each season.
Beginning date each season Closing date each season

(b) For diversion to be stored temporarily and later applied to beneficial use _____ acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between _____ and _____ of each season.
Beginning date each season Closing date each season

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. The amounts stated must be in definite terms of some established unit of measurement. Neither these amounts nor the season may be increased after application is filed.

3. The use to which the water is to be applied is irrigation and domestic
Domestic, irrigation, power, municipal, mining, industrial, recreational

4. The point of diversion is to be located at intersection of American River
State bearing and distance or coordinate distances to section or quarter section corner
and Landis Ave. of Carmichael Colony N85°E 7000' from NE corner Sec. 55
Range 10 Del Paso
being within the Lot 122 of Carmichael Colony and within the projected NE 1/4 of NE 1/4
State 40-acre subdivision of U. S. Government survey or projection thereof
of Section 22, Tp. 9N, R. 6E, M.D.B. Co. M., in the County of Sacramento

5. The main conduit terminates in Tract 141, of Sec. 22, Tp. 9N, R. 6E, M.D.B. Co. M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application can not be approved for an amount grossly 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: Capacity of plant 22,500 gallons per minute.
Pumping directly from river - no dam or sump constructed
(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 _____
Concrete, earth, brush, etc.

(c) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet
long on top; have a freeboard of _____ feet, and be constructed of _____
Concrete, earth, brush, etc.

7. Storage Reservoir

Name _____
The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions, as shown upon map
It will have a surface area of _____ acres, and a capacity of _____ acre-feet.
In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. 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.
 under pressure (b) Pipe line: Diameter 30 inches; length 1600 feet; grade _____ feet per 1,000 feet; total fall from intake to outlet _____ feet; kind welded steel
Riveted steel, cement, wood-stave, etc.

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 works proposed is 22,500
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is _____
Give only cost of intake, or headworks, pump, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before Commenced
 Construction work will be completed on or before Completed
 The water will be completely applied to the proposed use on or before 1960

Description of Proposed Use

11. Place of Use. Within boundaries of Carmichael Irrigation District containing approximately 3300 acres
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map. These blanks need not be filled in when municipal use is proposed.

Does applicant own the land whereon use of water will be made? No
Yes or No

Served as an Irrigation District
If applicant does not own land whereon use of water will be made, state what arrangements have been made with owner.

12. Domestic Use. Domestic use is proposed as follows: _____
Describe nature of use which may include stock water and the irrigation of domestic gardens not exceeding one-half acre with each place of residence. State number and kind of stock to be watered, number of houses and people to be served.
3000 families and domestic gardens.

The amount for which application is made was determined by estimated growth of district
Describe basis of quantity needed
 13. Irrigation Use. The area to be irrigated is 3300 acres 3351.83 acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres;
3351.83
 orchard _____ acres; general crops 3300 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 use will in time change almost entirely to domestic use.
 The irrigation season will begin about March 15 and end about Oct 15
Beginning date each season Closing date each season

The land to be irrigated has another water right or source of water supply other than that herein applied for. The nature and amount of the additional supply referred to is Appl 138 and Appl 4743
no other

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above
 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.
Second feet \times fall \div 5.5
 The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

33 The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.
 The size of the nozzle to be used is _____ inches.
 The water will be returned to _____ in _____ of _____
Name stream State 40-acre subdivision
 Sec. _____, Tp. _____, R. _____, M. _____

See map
 Rev
 12/10/48

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only
_____ having a present population of _____

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:

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim
_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will be polluted by chemicals or otherwise _____
will not Explain nature of pollution, if any

and it will be returned to _____ in _____ of
will not Name stream State 40-acre subdivision

Sec. _____, Tp. _____, R. _____, M. _____

17. **Industrial Use.** The nature of the use proposed is _____
Describe nature and method of use

The amount for which application is made was determined by _____
Describe basis of estimate of quantity needed

18. **Recreational Use.** Water will be used for _____
Describe nature and method of use

The amount for which application is made was determined by _____
Describe basis of estimate of quantity needed

General

19. Are the maps as required by the Rules and Regulations filed with Application? No If not,
Yes or No
state specifically the time required for filing same 6 months

20. Does the applicant own the land at the proposed point of diversion? Yes If not, state what
Yes or No
steps have been taken to secure right of access thereto _____

21. What is the name of the post office most used by those living near the proposed point of diversion?

Sacramento

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? _____

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[SIGNATURE OF APPLICANT]

Barinched Irrigation District
per Roy W. Green
Secretary-Treasurer

CWD-6

APPLICATION 12367

PERMIT 7356

LICENSE _____

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH
TO COMPLETE CONSTRUCTION AND USE

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under Application 12367, Permit 7356,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1955, within which to complete construction work and apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 12th day of January, 1953.



A. D. Edmonston
A. D. Edmonston
State Engineer

ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

Good cause having been shown therefor, it is ordered that an extension of time be and the same is hereby granted until December 1, 1959 within which to complete construction work and application of water to the proposed use under said permit.

Witness the hand and seal of the State Water Rights Board this 5th day of November, 1956.



STATE WATER RIGHTS BOARD

By Leslie C. Jopson
Leslie C. Jopson
Chief Engineer

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H

C&U

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(2)

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ORDER

APPLICATION 12367

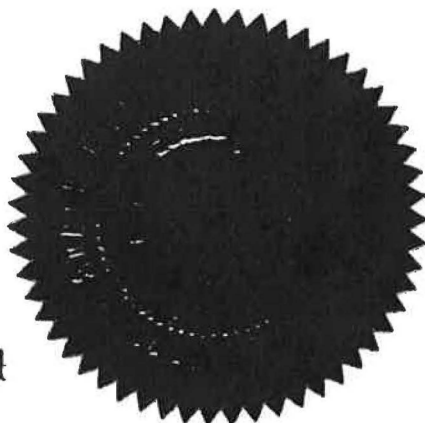
PERMIT 7356

LICENSE _____

(4) A POINT S13°15'E, 7420 FEET FROM NE CORNER OF SECTION 55,
RANCHO DEL PASO, BEING WITHIN NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF PROJECTED SECTION
28, T9N, R6E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of
the State of California this 29th day of July, 1959

L. K. Hill
L. K. Hill
Executive Officer



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12

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FORM 100

85771 10-58 10M SPO

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CWD-6

ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

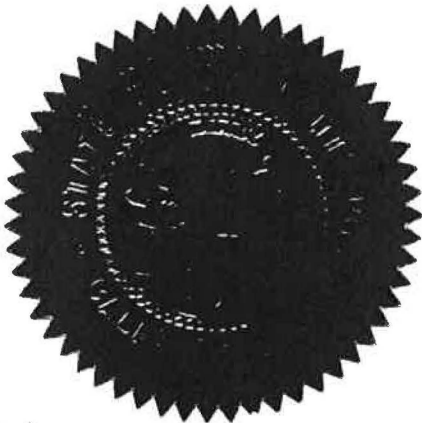
ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 7356 ; said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is hereby granted until December 1, 1962, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board
this 7th day of January, 1960

L. K. Hill
L. K. Hill
Executive Officer



ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

ORDER ALLOWING CHANGE IN CHARACTER OF USE

WHEREAS permittee has established to the satisfaction of the State Water Rights Board that the change in character of use under Application 12367, Permit 7356, for which petition was submitted on September 13, 1961, will not operate to the injury of any other legal user of water and the Board so finds;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said Application 12367, Permit 7356, to character of use described as follows, to wit:

IRRIGATION, DOMESTIC AND MUNICIPAL USES

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of February, 1962

L. K. Hill
L. K. Hill
Executive Officer



ORDER

APPLICATION 12367

PERMIT 7356

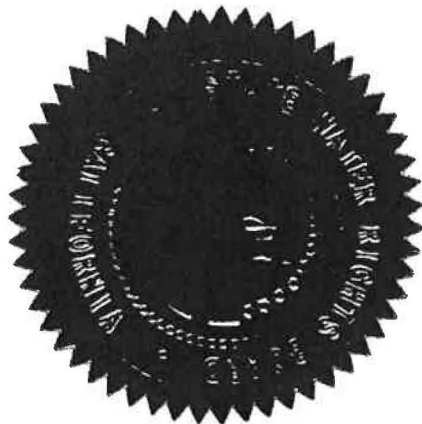
LICENSE _____

ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 7356, said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is, hereby granted until **December 1, 1965**, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this **29th** day of **May**, **1963**



L. K. Hill
L. K. Hill
Executive Officer

STATE OF CALIFORNIA
RESOURCES AGENCY
STATE WATER RIGHTS BOARD
ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

ORDER ALLOWING CHANGE IN POINTS OF DIVERSION
AND CHANGE IN PLACE OF USE

WHEREAS the State Water Rights Board has found that the change in points of diversion and place of use under Application 12367, Permit 7356, for which petitions were submitted on March 16, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said points of diversion and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said Application 12367, Permit 7356, to point of diversion described as follows, to wit:

A MOVABLE POINT ALONG THE LEFT AND RIGHT BANKS OF THE AMERICAN RIVER BETWEEN LIMITS AS FOLLOWS:

POINT A: AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF SAN JUAN AVENUE, IN CARMICHAEL COLONY, AND THE AMERICAN RIVER, N 76° E 10,700 FEET FROM THE NE CORNER OF SECTION 55, RANCHO DEL PASO, AND BEING WITHIN THE SW $\frac{1}{4}$ OF PROJECTED SECTION 14, T9N, R6E, MDB&M.

POINT B: AN INTERSECTION WITH THE SOUTHEASTERLY EXTENSION OF ARDEN WAY AND THE AMERICAN RIVER SOUTH 64° E 6,300 FEET FROM THE SE CORNER OF SECTION 43, RANCHO DEL PASO, AND BEING WITHIN THE S $\frac{1}{2}$ OF PROJECTED SECTION 33, T9N, R6E, MDB&M.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 12367, Permit 7356, to a place of use described as follows, to wit:

STATE OF CALIFORNIA
RESOURCES AGENCY
STATE WATER RIGHTS BOARD
ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

4,500 ACRES COMPRISING THE SERVICE AREA OF CARMICHAEL IRRIGATION
DISTRICT AS SHOWN ON THE MAP FILED WITH STATE WATER RIGHTS BOARD
ON DECEMBER 21, 1964.

WITNESS my hand and the seal of the State Water Rights Board of the
State of California this 2 nd day of September, 1965



L. K. Hill
L. K. Hill
Executive Officer

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STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER ALLOWING CHANGE IN PLACE OF USE

Application 12367

Permit 7356

WHEREAS the State Water Resources Control Board has found that the change in place of use under Application 12367, Permit 7356, for which petition was submitted on January 19, 1968, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said place of use in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said Application 12367, Permit 7356, to a place of use described as follows, to wit:

DOMESTIC AND MUNICIPAL USES AND IRRIGATION OF A NET AREA OF 4,500 ACRES WITHIN AN AREA OF 4,950 ACRES COMPRISING THE SERVICE AREA OF CARMICHAEL IRRIGATION DISTRICT AS SHOWN ON MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD ON JANUARY 19, 1968.

Dated: APR 23 1968

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 12367

PERMIT 7356

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 7356; 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, 1975

DATED: APR 23 1968

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

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

ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING 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. It appears that the permittee has proceeded with diligence and that 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, 1985

APPLICATION OF THE WATER TO THE PROPOSED
USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1985

2. Paragraph 7 of the permit be amended to read as follows:

Pursuant to California Water Code Sections 100 and 275, all right 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.

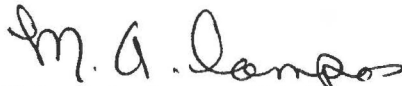
The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required 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 8 be added to the permit 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: MAY 17 1979



Michael A. Campos, Chief
Division of Water Rights

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

ORDER

APPLICATION 12367

PERMIT 7356

LICENSE _____

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:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 1, 1995

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, 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 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.

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.

Dated: JULY 1 1986


Lloyd Johnson, Interim Chief
Division of Water Rights

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

Application 12367 Permit 7356 License

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT**

WHEREAS:

1. Permit 7356 was issued to Carmichael Irrigation District on April 22, 1949 pursuant to Application 12367.
2. Permit 7356 was subsequently assigned under the name of Carmichael Water District on May 28, 1981.
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.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 2005

(0000009)

Dated: **JULY 2 1996**

Edward C. Anton
Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

In the Matter of Permit 7356 (Application 12367)
Carmichael Water District

ORDER DENYING PETITION FOR EXTENSION OF TIME

SOURCE: American River

COUNTY: Sacramento

WHEREAS:

1. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) issued Permit 7356 to Carmichael Water District (CWD) (Permittee) on April 22, 1949, pursuant to Application 12367. The permit authorizes direct diversion of 25 cubic feet per second (cfs).

The permit requires that construction work be completed and that water be fully used by December 1, 1952.
2. Permittee requested, and on January 12, 1953, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 1, 1955.
3. The Division conducted a licensing inspection on July 18, 1956 and found that the project was incomplete since the use at the time was limited to one or two hours per day during the summer months and the remaining use was covered by previous filings.
4. Permittee requested, and on November 5, 1956, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 1, 1959.
5. Permittee requested, and on January 7, 1960, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 1, 1962.

6. The Division conducted a licensing inspection on December 13, 1962 and found no beneficial use under the permit. The Permittee's existing capacity was about 35 cfs. However, all water diverted by the Permittee was covered under other bases of right, not Permit 7356.
7. Permittee requested, and on May 29, 1963, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete by December 1, 1965, and that water be fully used by December 1, 1965.
8. The Division conducted a licensing inspection on August 22, 1967 and found that the project was incomplete. In August of 1966, peak use was 0.37 cfs.
9. Permittee requested, and on April 23, 1968, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required water to be fully used by December 1, 1975.
10. The Division conducted a licensing inspection on March 9, 1977 and found that maximum use was 4.72 cfs in June of 1974.
11. Permittee requested, and on May 17, 1979, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete by December 1, 1985, and that water be fully used by December 1, 1985.
12. Permittee requested, and on July 1, 1986, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required that construction to be complete and water to be fully used by December 1, 1995.
13. Permittee requested, and on July 2, 1996, the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required water to be fully used by December 31, 2005.
14. On December 23, 2005, Permittee filed a petition for an extension of time within which to commence or complete construction work or apply water to beneficial use. Permittee seeks a 20-year time extension.
15. Public notice of the request for an extension of time was issued on March 23, 2007 and no protests were received.
16. The State Water Board may grant an extension of time within which to commence or complete construction work or apply water to beneficial use upon a showing of good cause. (Wat. Code, § 1398.) Permittee must show that (1) due diligence has been exercised; (2) failure to comply with previous time requirements has been occasioned by obstacles which could not be reasonably avoided; and (3) satisfactory progress will be made if an extension of time is granted. Lack of finances, occupation with other work, physical disability, and other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay.
17. Permittee has shown that due diligence has been exercised. The Progress Reports by Permittee (reports) document water use by the Permittee. Based on the reports, the Permittee did not use water under the permit from 1985 through 2000. In 2000, an unidentified quantity of water was

used only in May. In 2001, 4,500 acre-feet (af) of water was used. Since this is inconsistent with all other reported use, the report may include diversion under other rights of Permittee. In 2002, water use was claimed but the quantity diverted was not identified. In 2003 and 2004, no water use occurred. In 2005, 778 af was used. Under the most recently approved time extension, the time to develop full beneficial use ended on December 31, 2005.

18. Permittee has not shown that failure to comply with previous time requirements has been occasioned by obstacles that could not be reasonably avoided. Permittee did not identify any obstacles to using Permit 7356. Permittee has had time extensions totaling 53 years, but has only used a limited quantity of water under the permit. There have been extensive periods of time when no water was used.
19. Permittee indicates that satisfactory progress will be made if a time extension is granted. Due to groundwater contamination and overdraft, additional surface water supply will be needed in the future.
20. Permittee is lead agency pursuant to the California Environmental Quality Act (CEQA). Permittee has not prepared a CEQA document for the time extension petition. Therefore, the requirements of CEQA have not been met.
21. Permittee has not shown good cause for the time extension. Although the Permittee has shown a need for future water supplies, two of the necessary findings for approving a time extension petition were not met.

NOW, THEREFORE, IT IS ORDERED THAT THE STATE WATER BOARD, HEREBY DENIES THE PETITION FOR EXTENSION OF TIME.

STATE WATER RESOURCES CONTROL BOARD

James W. Kassel
for *Victoria A. Whitney*
Deputy Director for Water Rights

Dated: **JUN 11 2009**