

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

**DIVISION OF WATER RIGHTS**

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In the Matter of Minor Change Request  
**North Marin Water District**

**ORDER APPROVING A MINOR CHANGE TO LICENSE 4324B  
(APPLICATION 13965B)**

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SOURCE: Lagunitas Creek

COUNTY: Marin

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**WHEREAS:**

1. North Marin Water District filed a Minor Change Request with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) on December 30, 2020. License 4324B allows a maximum diversion rate of 0.67 cubic foot per second from May 1 to November 1 of each year water from Lagunitas Creek.
2. North Marin Water District requested a Minor Change to modify License 4324B by adding a point of diversion known as the Gallagher Well No. 2.
3. The request was noticed on May 7, 2021. One comment was received by May 24, 2021. The California Department of Fish and Wildlife-Bay Delta Region requested that if construction or rehabilitation work is required for the diversion works covered by this change within the bed, channel, or bank of the affected water body, the licensee enter into a Lake and Streambed Alteration Agreement with CDFW. If necessary, the licensee shall also comply with Fish and Game Code section 1602.
4. The proposed changes meet the requirements provided by Water Code section 1700.6. The change involves a minor change to the points of diversion, will not result in an increase in consumptive use, and do not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses.

5. North Marin Water District completed an Initial Study (Gallagher Wells and Pipeline Project, SCH 2009032086, dated March 2009) and Addendum (Gallagher Well No. 2 Installation: CEQA Addendum, dated January 6, 2021). The Addendum concluded that the Gallagher No. 2 Project would not result in new or more severe significant impacts than described in the 2009 Initial Study. Per CEQA Guidelines Section 15162, no subsequent Mitigated Negative Declaration is needed.
6. Pursuant to Resolution No. 2012-0029, the State Water Board has delegated authority to the Deputy Director for Water Rights to issue change orders under specific circumstances. (Resolution No. 2012-0029, section 4.2.9.) Resolution No. 2012-0029 authorizes the Deputy Director to redelegate this authority, and this authority has been so redelegated by memorandum dated October 19, 2017.

**THEREFORE, THE REQUEST TO MAKE A MINOR CHANGE TO LICENSE 4324B IS APPROVED AND LICENSE 4324B IS AMENDED AS FOLLOWS:**

**Current Water Right Conditions:**

Points of Diversion:

- 1) Coast Guard Well 1: By California Coordinate System of 1983, Zone 3, North 2,219,905 feet, and East 5,900,081 feet, being within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 25, T3N, R9W, MDB&M.
- 2) Coast Guard Well 2: By California Coordinate System of 1983, Zone 3, North 2,219,909 feet, and East 5,900,069 feet, being within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 25, T3N, R9W, MDB&M.
- 3) Coast Guard Well 3: By California Coordinate System of 1983, Zone 3, North 2,219,912 feet, and East 5,900,050 feet, being within SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 25, T3N, R9W, MDB&M.
- 4) Downey Well: By California Coordinate System of 1983, Zone 3, North 2,222,409 feet, and East 5,901,065 feet, being within SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of projected Section 25, T3N, R9W, MDB&M.
- 5) Gallagher Well No. 1: By California Coordinate System of 1983, Zone 3, North 2,223,665 feet, and East 5,904,382 feet, being within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 30, T3N, R8W, MDB&M.

Place of Use:

At Annexation No. 3 service area of the North Marin Water District within T2N and 3N, R8W and 9W, MDB&M, as show on map dated February 7, 2007, filed with the State Water Board.

Purpose of Use:

Municipal, Industrial, and Irrigation.

**New Water Right Conditions:**

Additional Point of Diversion:

- 6) Gallagher Well No. 2, by California Coordinate System of 1983, Zone 3, North 2,224,112 feet, and East 5,904,361 feet, being within SW¼ of SE¼ of projected Section 8, T3N, R8W, MDB&M.

No changes to other Points of Diversion.

Place of Use:

No changes.

Purpose of Use:

No changes.

STATE WATER RESOURCES CONTROL BOARD

*Erik Ekdahl, Deputy Director  
Division of Water Rights*

Dated: