



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

License for Diversion and Use of Water

APPLICATION 11674A
Page 1 of 3

PERMIT 7130A

LICENSE 11866

THIS IS TO CERTIFY, That California-American Water Company
P.O. Box 1627
National City, California 92050

has made proof as of April 18, 1985 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
Carmel River in Monterey County

tributary to Pacific Ocean

for the purpose of Municipal, Domestic, Industrial and Recreational uses

under Permit 7130A of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from December 30, 1946 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed three thousand thirty (3,030) acre-feet per annum to
be collected from October 1 of each year to May 31 of the succeeding year. The
maximum withdrawal in anyone year shall not exceed 2,950 acre-feet.

This license does not authorize collection of water to storage outside of the
specified season to offset evaporation and seepage losses or for any other
purpose.

(000005)

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

Los Padres Dam: South 73°56' West 1,600 feet from NE corner of Section 8,
T18S, R3E, MDB&M, being within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 8.

THE POINT OF REDIVERSION OF SUCH WATER IS LOCATED:

San Clemente Dam: North 2°25'13" East 1,747.86 feet from SW corner of
projected Section 24, T17S, R2E, MDB&M, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section
24.

**A DESCRIPTION OF THE LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:**

Recreational uses at Los Padres Reservoir and municipal, domestic and
industrial uses within California-American Water Company service area in Carmel
Valley, as shown on map filed with State Water Resources Control Board.

Licensee shall maintain a flow of not less than 5 cubic feet per second in the channel of Carmel River directly below the outlet structure of the Los Padres Dam at all times during which water is being stored under this license provided that said amount of 5 cubic feet per second may be reduced temporarily from time to time for operating purposes upon and in accordance with a prior agreement between California Water and Telephone Company and the Division of Fish and Game of the State of California; and provided further, that in case of operating emergency requiring immediate action by the Company for the prevention of, or repair of, damage or loss to its system or to others, the Company may release less than the aforesaid minimum flow during the period of said emergency.

Licensee shall install and maintain a rated weir with a staff gage as part of the outlet structure or fish ladder for the measurement of flow.

This license is subject to the agreement dated September 20, 1982 and October 15, 1982 between licensee and Monterey Peninsula Water Management District, to the extent such agreement covers matters within the Board's jurisdiction. (0000024)

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the State Water Resources Control Board if, after notice to the licensee 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.

Pursuant to California Water Code Sections 100 and 275 and the public trust doctrine, all rights and privileges under this license, 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, 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 license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee 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 license 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 licensee 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 takes into account the public interest and is necessary to protect public trust uses. All such actions shall conform to the standard of reasonableness contained in Article X, Section 2 of the California Constitution.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license 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 1628. Every license 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 license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license 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 license 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 licensee 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 licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: FEBRUARY 14 1986

STATE WATER RESOURCES CONTROL BOARD

Way Johnson
Chief, Division of Water Rights

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THE _____ ENCY
STATE WATER RESOURCE CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

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This statement should be typewritten or legibly written in ink.

A. Name of person diverting water California-American Water Company STATE WATER CONTROL BOARD
Address 404 W. Franklin Street; P.O. Box 951, Monterey, CA 93940 SACRAMENTO

B. Name of body of water at point of diversion Carmel River
Tributary to Pacific Ocean

C. Place of diversion nw 1/4 SW 1/4 Section 24 Township 17 S Range 2E MD B&M, Monterey County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works San Clemente

E. Capacity of diversion works 20 CFS cubic feet per second
Capacity of storage reservoir 1,526 Ac. Ft. gallons per minute
State quantity of water used each month in gallons or acre-feet gallons
acre-foot

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1973	446	419	636	872	932	900	72	235	446	239	664	526	6,387

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years _____ gallons
Minimum annual water use in recent years _____ acre-foot
Type of diversion facility: gravity X, pump _____ gallons
acre-foot

Method of measurement: weir _____, flume _____, electric power meter _____, water meter X, estimate _____

F. Purpose of use (what water is being used for) Domestic, Municipal, and Industrial Water Supply

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Cities of Monterey, Pacific Grove, Carmel, Seaside, Del Rey Oaks, Sand City and unincorporated areas of Carmel Valley, Carmel Highlands and Del Monte Forrest.

H. Year of first use as nearly as known 1890

I. Name of person filing statement Mr. W. J. Hays
Position President Organization California-American Water Company
Address P.O. Box 45053; Los Angeles, CA 90045

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.
Dated: Apr 30, 1975, at Los Angeles, California.

Signature: W. J. Hays

See Instructions on Reverse Side

file

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
 Notify this office if ownership or address changes occur during the coming year.

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PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: CALIFORNIA-AMERICAN WATER COMPANY

CALIFORNIA-AMERICAN WATER COMPANY
 PO BOX 951
 MONTEREY, CA 93942-0951

STATEMENT NO: S008538

SOURCE: CARMEL RIVER
 TRIBUTARY TO: PACIFIC OCEAN
 COUNTY: MONTEREY
 DIVERSION

TELEPHONE NUMBER:
 (408) 373-3051
 YEAR OF FIRST USE: 1890
 PARCEL NO:

WITHIN: NW¼ OF SW¼ SECTION 24, T17S, R2E, MB&M.

Water is used under: Riparian claim _____ Pre 1914 right X Other (explain): Appropriate License: 011866

Year of first use (Please provide if missing above) _____

Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet X Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	220.3	119.6	325.5	430.8	592.6	375.4	268.6	275.3	246.2	206.6	168.0	227.3	3456.2
1997	226.4	446.6	486.4	451.1	253.7	161.1	179.3	180.4	173.5	157.7	24.6	98.9	2839.7
1998	145.4	0.5	190.0	92.0	233.9	157.3	154.6	150.0	150.7	159.4	185.1	149.9	1768.8

Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____;

Other (specify) Population Served: 108,867

Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: 20% water conservation plan in effect.

b. _____

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

2. Water quality and wastewater reclamation

a. 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 beneficial uses? YES _____ NO _____

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b. If credit toward use under a claimed pre 1914 appropriative water right 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 amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES NO _____

b. If credit toward use under a claimed pre 1914 appropriative right 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:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

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

DATE: Mar 18, 19 99 at Monterey, California

SIGNATURE: Gerald Haas

PRINTED NAME: GERALD P. HAAS
(first name) (middle init.) (last name)

COMPANY NAME: California American Water Co.

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.