

1 ANDREW TAURIAINEN (SBN 214837)  
2 KENNETH PETRUZZELLI (SBN 227192)  
3 JOHN PRAGER (SBN 289610)  
4 STATE WATER RESOURCES CONTROL BOARD  
5 1001 I Street, 16<sup>th</sup> Floor  
6 Sacramento, CA 95814  
7 Tel: (916) 319-8577  
8 Fax: (916) 341-5896

9 Attorneys for the Prosecution Team

10 **BEFORE THE STATE WATER RESOURCES CONTROL BOARD**

11 **In the matter of Administrative Civil ) Declaration of Kenneth Petruzzelli in**  
12 **Liability Complaint issued against G. ) Support of Prosecution Team Closing**  
13 **Scott Fahey and Sugar Pine Spring ) Brief**  
14 **Water, LP )**

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15 I, Kenneth Petruzzelli, declare as follows:

- 16 1. I am an Attorney III (Specialist) with the Office of Enforcement of the State Water  
17 Resources Control Board (“State Water Board”). I have been a practicing attorney since  
18 2003, California Bar No. 227192. I joined the Office of Enforcement in 2015. I have  
19 represented the Prosecution Team as lead counsel in the matter of the Administrative Civil  
20 Liability Complaint and Draft Cease and Desist Order issued against G. Scott Fahey and  
21 Sugar Pine Spring Water, LP (collectively “Fahey”) since about November 17, 2015, when  
22 I replaced Andrew Tauriainen. Mr. Tauriainen still serves as co-counsel in the matter.
- 23 2. Exhibit SWRCB-1, a Hearing Team staff exhibit, is the Division of Water Rights permit  
24 file for Fahey’s water right Applications A029977 and A031491. SWRCB-1 has been made  
25 available to Fahey. It is my understanding that before I became involved in this case, the  
26 Prosecution Team made the permit file available to his attorneys. On December 10, 2015, at  
27 approximately 3:25 p.m., I even personally met with Mr. Daniel Cucchi, an attorney with  
28 Abbott & Kindermann LLP, who was visiting the water right records room requesting to  
see anything new in the permit file.
3. Exhibit SWRCB-1 includes Fahey’s progress reports by permittee. True and correct copies  
of the progress reports of permittee are attached to this declaration and marked as  
Attachment 1.
4. Exhibit SWRCB-1, the correspondence file for A29977, volume 3, and a memorandum  
from the Division of Water Rights, dated December 18, 2001, regarding the change in point

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- of diversion from Cottonwood Spring to Sugar Pine Spring. A true and correct copy is attached to this declaration and marked as Attachment 2.
5. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter Mr. Fahey wrote to Mr. James Kassel of the Division of Water Rights, dated May 13, 1992, regarding his proposal to use groundwater as replacement water to prevent harm to the water rights and operations of the Turlock Irrigation District and the Modesto Irrigation District. A true and correct copy is attached to this declaration and marked as Attachment 3.
  6. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter from Mr. Fahey to Yoko Mooring, of the Division of Water Rights, regarding negotiations to resolve the protest by the City and County of San Francisco, dated July 11, 1994. The letter includes an acknowledgment by Fahey that San Francisco considers any groundwater in the Tuolumne River Basin linked to Lake Don Pedro. A true and correct copy is attached to this declaration and marked as Attachment 4.
  7. Exhibit SWRCB-1, includes the correspondence file for A29977, volume 2, and a letter Yoko Mooring mailed to Mr. Fahey on February 1, 1995 with an attached report regarding a field inspection conducted on September 29, 1994. A true and correct copy of the cover letter and attached report of field inspection is marked as Attachment 5 to this declaration. The attachments to the report have been omitted, because they are not immediately relevant, but they are included in SWRCB-1.
  8. Exhibit SWRCB-1 includes the correspondence file for A29977, volume 1, and a letter from Mr. William Van Dyck, of the Division of Water Rights, to Mr. Fahey, dated October 11, 1994, forwarding a “a copy of a legal counsel opinion on the need for a water right to divert developed water.” The letter in the permit file lacks an attached legal counsel opinion. A true and correct copy is attached to this declaration and marked as Attachment 6.

I declare under penalty of perjury to the laws of the State of California that the foregoing is true and correct. Executed June 17, 2016, at Sacramento, California.



\_\_\_\_\_  
Kenneth Petruzzelli

**Service List**  
**(Revised January 5, 2016)**

<p><b>DIVISION OF WATER RIGHTS</b> SWRCB Office of Enforcement Prosecution Team Kenneth P. Petruzzelli 1001 I Street, 16th Floor Sacramento, CA 95814 <a href="mailto:kenneth.petruzzelli@waterboards.ca.gov">kenneth.petruzzelli@waterboards.ca.gov</a></p>	<p><b>G.SCOTT FAHEY AND SUGAR PINE SPRING WATER , LP</b> Abbott &amp; Kindermann, LLP Diane G. Kindermann Glen C. Hansen 2100 21<sup>st</sup> Street Sacramento, CA 95818 <a href="mailto:dkindermann@aklandlaw.com">dkindermann@aklandlaw.com</a> <a href="mailto:ghansen@aklandlaw.com">ghansen@aklandlaw.com</a></p> <p>Bart Barringer Law Offices of Mayol &amp; Barringer P.O. Box 3049 Modesto, CA 95353 <a href="mailto:bbarringer@mblaw.com">bbarringer@mblaw.com</a></p>
<p><b>TURLOCK IRRIGATION DISTRICT</b> Arthur F. Godwin Mason, Robbins, Browning &amp; Godwin, LLP 700 Loughborough Driver, Suite D Merced, CA 95348 <a href="mailto:agodwin@mrgb.org">agodwin@mrgb.org</a></p>	<p><b>MODESTO IRRIGATION DISTRICT</b> William C. Paris, III O'Laughlin &amp; Paris LLP 2617 K Street, Suite 100 Sacramento, CA 95816 <a href="mailto:bparis@olaughlinparis.com">bparis@olaughlinparis.com</a> <a href="mailto:anna.brathwaite@mid.org">anna.brathwaite@mid.org</a> <a href="mailto:lwood@olaughlinparis.com">lwood@olaughlinparis.com</a></p>
<p><b>CITY AND COUNTY OF SAN FRANCISCO</b> Robert E. Donlan Ellison, Schneider &amp; Harris L.L.P. Attorneys at Law 2600 Capitol Avenue, Suite 400 Sacramento, CA 95816 <a href="mailto:red@eslawfirm.com">red@eslawfirm.com</a></p> <p>Jonathan Knapp Office of the City Attorney 1390 Market Street, Suite 418 San Francisco, CA 94102 <a href="mailto:jonathan.knapp@sfgov.org">jonathan.knapp@sfgov.org</a></p>	



**PROGRESS REPORT BY PERMITTEE FOR**

98 FEB 23 PM 1:35 1997

DIV. OF WATER RIGHTS  
 SACRAMENTO

OWNER OF RECORD: G SCOTT FAHEY

APPLICATION: A029977

G SCOTT FAHEY  
~~950 EAST RIVERPARK LN~~ 2787 E. STONY FORK WAY  
 BOISE, ID 83706

PERMIT: 020784

TELEPHONE NUMBER:  
 (208) 334-4180x251

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

SOURCE:

UNSP (AKA COTTONWOOD SPRING/DEADWOOD SPRING)

COUNTY:

TUOLUMNE

PURPOSE:

DIVERSION/STORAGE SEASON:

ACRES/HP:

INDUSTRIAL

JAN 01 TO DEC 31 /

0 AC

AMOUNT: 0.062 CFS 0 AC-FT  
 0.031/0.031 CFS

COMPLETE USE BY: 12/31/1999

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [✓] NO [ ].  
 I am complying with the conditions under which my permit has been issued: YES [✓] 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: DEADWOOD SPRING HAS BEEN DEVELOPED AND DIVERTED @ A COST OF \$1,500,000.00
- If not completed, give estimated date of completion: COTTONWOOD SPRING HAS NOT BEEN DEVELOPED NOR DIVERTED
- What percent of construction work remains to be done? 30% Explain: DEVELOP AND DIVERT COTTONWOOD SPRING

**USE OF WATER**

- Has use of water commenced? YES [✓] NO [ ]. Check appropriate box(es) below and explain how water was used.
  - (a) [ ] Irrigation \_\_\_\_\_ (e) [ ] Municipal \_\_\_\_\_  
Approximate population
  - (b) [ ] Stockwatering \_\_\_\_\_ (f) [ ] Recreational \_\_\_\_\_  
Number of animals Boating, fishing, water contract sports
  - (c) [✓] Industrial Wholesale of spring water to state certified bottlers (g) [ ] Power generation \_\_\_\_\_  
Nature of use Installed horsepower capacity
  - (d) [ ] Domestic \_\_\_\_\_ (h) [✓] Other Private Water Source Operator, Lic# 86096  
Number of persons, area of garden, lawn, etc.

\* A PETITION FOR CHANGE HAS BEEN SUBMITTED TO DEVELOP AND DIVERT FROM ANNIE GREEN SPRING AND ABANDON COTTONWOOD SPRING

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
APPROPRIATED	275,317	607,277	607,277	607,277	607,277	607,277	607,277	607,277	607,277	607,277	457,879	607,277	6,805,969 GAL.
DEVELOPED	- 0 -	7,486	160,785	184,881	149,201	48,857	243,073	79,273	19,723	113,260	- 0 -	241,873	1,248,412 GAL (Continues on reverse side)

**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 []. If "No", explain under "Remarks".
- 8. Has location of the intake, place of use, or type of use been changed? YES [ ] NO []. Explain under "Remarks".
- 9. Did the source go dry? YES [ ] NO []. 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.

**CONSERVATION OF WATER**

- 11. Describe any water conservation efforts you may have started: \_\_\_\_\_
- 12. If credit toward beneficial use of water under this permit 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 (acre-feet or mg): \_\_\_\_\_ (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 [].
- 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)

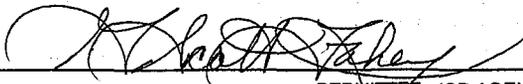
**CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWATER**

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

7. The use of appropriated water in 1998 from DEADWOOD SPRING is estimated to be 7,287,328 gallons.  
 The use of developed water in 1998 from DEADWOOD SPRING is estimated to be 4,544,898 gallons.

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

Dated: 2/17/98 Sign Here: 

PERMITTEE (OR AGENT OR DESIGNEE)

**PROGRESS REPORT BY PERMITTEE FOR**

1998

OWNER OF RECORD: G SCOTT FAHEY

APPLICATION: A029977

G SCOTT FAHEY  
 2787 STONY FORK WAY  
 BOISE, ID 83706

PERMIT: 020784

TELEPHONE NUMBER:  
 (208) 334-4180 x 251

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

SOURCE:

COUNTY:

UNSP (AKA COTTONWOOD SPRING) } *Deadwood Spring*

TUOLUMNE

PURPOSE:

DIVERSION/STORAGE SEASON:

ACRES/HP:

INDUSTRIAL

JAN 01 TO DEC 31 /

0 AC

AMOUNT: 0.062 CFS *Both Springs* AC-FT  
 0.0312 CFS *Each Spring*

COMPLETE USE BY: 12/31/1999

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit. YES [  ] NO [  ]. I am complying with the conditions under which my permit has been issued: YES [  ] 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: *Only Deadwood Spr. has been developed, 3 mi. 2" pipeline & storage tanks of 35,000 gal. EA @ cost \$420,000*
- If not completed, give estimated date of completion: *Tentatively plan on developing second spring by 11/15/99*
- What percent of construction work remains to be done? *40%* Explain: *Develop second spring & install 2 miles of 2" pipeline.*

**USE OF WATER**

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

- (a) [  ] Irrigation \_\_\_\_\_ (e) [  ] Municipal \_\_\_\_\_ Approximate population \_\_\_\_\_
- (b) [  ] Stockwatering \_\_\_\_\_ Number of animals \_\_\_\_\_ (f) [  ] Recreational \_\_\_\_\_ Boating, fishing, water contract sports \_\_\_\_\_
- (c) [  ] Industrial *Bulk deliver of spring water to bottlers* Nature of use \_\_\_\_\_ (g) [  ] Power generation \_\_\_\_\_ Installed horsepower capacity \_\_\_\_\_
- (d) [  ] Domestic \_\_\_\_\_ Number of persons, area of garden, lawn, etc. \_\_\_\_\_ (h) [  ] Other \_\_\_\_\_

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
Appropriated	613,200											613,200	7,358,400 GAL
Developed	193,110	274,857	477,557	559,750	413,575	429,921	551,563	498,090	632,987	564,927	288,240	401,795	5,352,092 GAL
													(Continues on reverse side)
													Page 3
													12,710,492 GAL

1998

FEB 18 2000  
 DEADWOOD SPR. ONLY!

DIVISION OF WATER RIGHTS  
 SACRAMENTO  
 MAR - 1 PM '98

SMW

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 [✓]. If "No", explain under "Remarks".
- 8. Has location of the intake, place of use, or type of use been changed? YES [✓] NO [ ]. Explain under "Remarks".
- 9. Did the source go dry? YES [ ] NO [✓]. 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.

CONSERVATION OF WATER

- 11. Describe any water conservation efforts you may have started: \_\_\_\_\_
- 12. If credit toward beneficial use of water under this permit 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 (acre-feet or mg): \_\_\_\_\_ (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 [✓].
- 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 [✓]
- 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.)

• It is projected 15 million gallons will be diverted and sold in 1999. Once the second spring is developed and diverted, as much as 25 million gallons maybe sold by 2003.

• A Petition for Change of Point of Diversion has been submitted to change the Cottonwood Spring POD to an unnamed spring aka Annie's Green Spring.

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

Dated: 2/24/99 Sign Here:  PERMITTEE (OR AGENT, OR DESIGNEE)



# PROGRESS REPORT BY PERMITTEE FOR

1999

OWNER OF RECORD: G SCOTT FAHEY

G SCOTT FAHEY  
 2787 STONY FORK WAY  
 BOISE, ID 83706

APPLICATION: A029977

PERMIT: 020784

TELEPHONE NUMBER:  
 (208) ~~334-4100~~  
 345-5170 ✓

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

SOURCE:

UNSP (AKA ~~COTTONWOOD~~ <sup>Deadwood</sup> SPRING / Sugar Pine Spring\*)

COUNTY:

TUOLUMNE

PURPOSE:

DIVERSION/STORAGE SEASON:

ACRES/HP:

INDUSTRIAL

JAN 01 TO DEC 31 /

0 AC

AMOUNT: 0.062 CFS BOTH SPRINGS AC-FT  
 0.031 CFS EACH SPRING

COMPLETE USE BY: 12/31/1999

\* SUGAR PINE SPRING WAS FORMALLY REFERRED TO AS ANNIE GREENSPRING

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [✓] NO [ ]. I am complying with the conditions under which my permit has been issued: YES [✓] 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: DEADWOOD SPRING HAS BEEN DEVELOPED? DIVERTED, @ A COST OF \$500,000
- If not completed, give estimated date of completion: SUGAR PINE SPRING HAS BEEN DEVELOPED, IN LIEU OF COTTONWOOD SPRING; DIVERSION WORK SHALL BE COMPLETED MAY 1, 2000
- What percent of construction work remains to be done? 20% Explain: DIVERSION PIPELINE FROM SUGAR PINE SPRING TO EXISTING PIPELINE ONE MILE BELOW DEADWOOD SPRING

USE OF WATER

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

(a) [ ] Irrigation _____	(e) [ ] Municipal _____ Approximate population _____
(b) [ ] Stockwatering _____ Number of animals _____	(f) [ ] Recreational _____ Boating, fishing, water contract sports _____
(c) [✓] Industrial <u>WHOLESALE OF SPRING WATER TO STATE</u> <u>CERTIFIED BOTTLERS</u>	(g) [ ] Power generation _____ Installed horsepower capacity _____
(d) [ ] Domestic _____ Number of persons, area of garden, lawn, etc. _____	(h) [✓] Other <u>PRIVATE WATER SOURCE OPERATOR, Lic. #26096</u>

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
APPROP.	607,277											607,277	7,287,324
DEVELOPED	400,918	500,773	354,523	675,523	487,573	596,773	666,823	478,723	579,523	485,323	120,973	532,873	(Continues on reverse side)

1999  
 SEP 01 2000  
 DEADWOOD SPRING ONLY, BOTH APPROP. & DEVELOPED  
 TOTAL 12,027,490 GALS.

**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 []. If "No", explain under "Remarks".
- 8. Has location of the intake, place of use, or type of use been changed? YES [ ] NO []. Explain under "Remarks".
- 9. Did the source go dry? YES [ ] NO []. 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.  
\_\_\_\_\_(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 [].
- 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 []
- 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.)

7. THE USE OF APPROPRIATED IN 2000 FROM DEADWOOD } SUGARPINE SPRINGS IS ESTIMATED TO BE  
14,574,648 GALS.

THE USE OF DEVELOPED WATER IN 2000 FROM DEADWOOD } SUGARPINE IS ESTIMATED TO BE  
5,425,352 GALS.

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

Dated: 4/7/00 Sign Here:  \_\_\_\_\_  
PERMITTEE (OR AGENT OR DESIGNEE)

State Water Resources Control Board  
 DIVISION OF WATER RIGHTS  
 P.O. Box 2000 SACRAMENTO, CA 95812-2000  
 1001 I STREET, 14th FLOOR, SACRAMENTO, CA 95814  
 (916) 341-5300 FAX: (916) 341-5400



**PROGRESS REPORT BY PERMITTEE FOR**

2000

Owner of Record:  
 G SCOTT FAHEY;

G SCOTT FAHEY  
 2787 STONY FORK WAY  
 BOISE, ID 83706

Application No.: A029977  
 Password: 04190110011198  
 Permit: 020784  
 Phone Number: (208) 345-5170

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

Source Name (Display up to the first four sources) County Name (First POD)  
 UNSP (AKA COTTONWOOD SPRING) Sugar Pine Spring - See "Remarks" Tuolumne  
 DEADWOOD SPRING Tuolumne

Purpose (Display up to the first four uses) Diversion Season (MM/DD - MM/DD) Storage Season (MM/DD - MM/DD) Acres (AC)  
 Industrial 1 / 1 - 12 / 31 0 / 0 - 0 / 0 0  
 Max DD Appl: .062 CFS Max Storage: AC-FT

G. SCOTT FAHEY, DBA  
 SUGAR PINE SPRING WATER CO.  
 2787 STONY FORK WAY  
 BOISE, ID 83706

From envelope.

DIVISION OF WATER RIGHTS  
 SACRAMENTO  
 2001 JUL -3 PM 4:09  
 STATE WATER RESOURCES CONTROL BOARD

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

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

(a) [ <input type="checkbox"/> ] Irrigation _____	(e) [ <input type="checkbox"/> ] Municipal _____ Approximate population
(b) [ <input type="checkbox"/> ] Stockwatering _____ Number of animals	(f) [ <input type="checkbox"/> ] Recreational _____ Boating, fishing, water contract sports
(c) [ <input checked="" type="checkbox"/> ] Industrial <u>Wholesale of spring water to state certified water bottlers</u> Nature of use	(g) [ <input type="checkbox"/> ] Power generation _____ Installed horsepower capacity
(d) [ <input type="checkbox"/> ] Domestic _____ Number of persons, area of garden, lawn, etc.	(h) [ <input checked="" type="checkbox"/> ] Other <u>Private Water Source Lic. # 86096386127</u>
- 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
613,200	—	—	613,200	1,226,400	—	—	—	—	—	1,226,400	1,127,250	11,551,650 GAL.
304,800	473,550	635,550	514,050	736,800	339,600	150,600	575,000	224,850	110,100	103,350	—	4,168,250
NOV 0 2 2001 RMD Change petition pending Total												15,719,900 GAL.

Appro. Developed

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 [  ]. If "No", explain under "Remarks".
- 8. Has location of the intake, place of use, or type of use been changed? YES [  ] NO [ ]. Explain under "Remarks".
- 9. Did the source go dry? YES [ ] NO [  ]. 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 [ ].
- 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 [  ]
- 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.)

• Appropriated Use Deadwood Spring 7,308,825 GAL.  
 Sugar Pine Spring 4,242,825

• Developed Use Deadwood Spring 3,165,917  
 Sugar Pine Spring 1,002,333

• A Petition for Change has been filed to change the location of POD<sub>1</sub> from an unnamed spring in Sec. 16 (aka Cottonwood Spring) to an unnamed spring in Sec. 22 of the same township. Initially, within the Petition for Change, the unnamed spring in Sec. 22 was called out as "Annie's Green Spring," however, due to U.S. Trademark issues the spring's aka name has been changed and is now referred to as Sugar Pine Spring.

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

Dated: 6/28/01 Sign Here:  PERMITTEE (OR AGENT OR DESIGNEE)



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.

G SCOTT FAHEY;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**G SCOTT FAHEY**  
**2787 STONY FORK WAY**  
**BOISE, ID 83706**

APPLICATION NO.: A029977  
 PERMIT NO.: 020784  
 CONTACT PHONE NO.: (208)345-5170  
 FOR ONLINE REPORTING AT  
 www.waterrights.ca.gov  
 USER NAME: A029977  
 PASSWORD: C11198

**PERMIT SUMMARY**

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
Unnamed Spring (AKA COTTONWOOD SPRING) → Sugar Pine Spring*		Tuolumne
DEADWOOD SPRING		Tuolumne

*as permitted, Change Order does not specify Sugar Pine Spring*

MAX DIRECT DIVERSION RATE:	MAX COLLECTION TO STORAGE AMOUNT:
.062 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]	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)
Industrial	0 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: 12/31/2011

**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.
- 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?
- 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 \_\_\_\_\_ Acres
- b.  Frost Protection \_\_\_\_\_ Acres
- c.  Heat Control \_\_\_\_\_
- d.  Industrial Wholesale of spring water to State certified water bottlers  
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 Private Water Source Operator  
Lic. Nos. 860989 86127

**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
<u>Apprx. Developed</u>	<u>1,226,400</u>	<u>1,226,400</u>							<u>1,226,400</u>	<u>1,174,900</u>	<u>472,500</u>	<u>641,250</u>	<u>19,325,850</u>
	<u>363,300</u>	<u>127,150</u>	<u>415,100</u>	<u>83,100</u>	<u>494,850</u>	<u>596,100</u>	<u>386,850</u>	<u>245,100</u>	<u>69,600</u>	<u>- - -</u>	<u>- - -</u>	<u>- - -</u>	<u>2,781,150</u>
													<u>Total 16,107,000 GAL</u>

**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 that 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.)

\* Pursuant to Change of Water Right Permit 20784 (Change Petition 29977P971212)

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

Dated: 6/11/02 Sign here: [Signature]  
PERMITTEE (OR AGENT / DESIGNEE)

Phone No.: (268) 345-5170



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

# PROGRESS REPORT BY PERMITTEE FOR 2002

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

G SCOTT FAHEY;

STATE WATER RESOURCES CONTROL BOARD  
2003 JUL 24 PM 2:59  
DIV OF WATER RIGHTS  
SACRAMENTO

APPLICATION NO.: A029977  
PERMIT NO.: 020784  
CONTACT PHONE NO.: (208)345-5170  
FOR ONLINE REPORTING AT  
www.waterrights.ca.gov  
USER NAME: A029977  
PASSWORD: D11198

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:  
**G SCOTT FAHEY**  
2787 STONY FORK WAY  
BOISE, ID 83706

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
Unnamed Spring (AKA <del>COTTONWOOD SPRING</del> ) $\rightarrow$ Sugar Pine Spring*		Tuolumne
DEADWOOD SPRING		Tuolumne

MAX DIRECT DIVERSION RATE: .062 CFS  
[Cubic feet per second (CFS) or Gallons per day(GPD)]

MAX COLLECTION TO STORAGE AMOUNT: 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)
Industrial	0 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: 12/31/2011

**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. Time extensions may be authorized for 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 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?
- 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:

- a.  Irrigation \_\_\_\_\_ Acres
- b.  Frost Protection \_\_\_\_\_ Acres
- c.  Heat Control \_\_\_\_\_
- d.  Industrial Wholesale of Spring Water to State Cert. Water Bottlers  
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 Private Water Source Operator  
Lic. No. 86096 & 86127

**AMOUNT OF WATER USED:**

8. Amount of water used each month under this permit in [ ] gallons or [ ] acre-feet: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

**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.)

*\* Pursuant to Change of Water Right Permit 20784*

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

Signature: [Signature] Date: 7/21/03 Phone No: (208) 345-5170  
PERMITTEE (OR AGENT/DESIGNEE)

APPLICATION NO.: AO29977  
 PERMIT NO.: 020784

**G SCOTT FAHEY**  
**2787 STONY FORK WAY**  
**BOISE, ID 83706**

AUG 14 2003

<b>AMOUNT OF WATER USED:</b>														
8. Amount of water used each month under this permit [ <input checked="" type="checkbox"/> ] gallons or [ <input type="checkbox"/> ] acre-feet:														
	January	February	March	April	May	June	July	August	September	October	November	December	2002 Total	
Total Used	621,000	560,250	540,000	1,336,500	1,599,750	1,404,000	1,464,750	1,248,750	999,000	1,235,250	972,000	1,221,750	13,203,000	
Total Used from Deadwood Spring	30,920	0	0	441,045	527,918	463,320	732,375	624,375	467,210	617,625	481,488	610,875	4,997,152	
Maximum Direct Diversion Rate	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946		
Developed Direct Diversion Rate	0	0	0	0	0	0	123,429	15,429	0	8,679	0	1,929	149,466	
Total Used from Sugar Pine Spring	590,080	560,250	540,000	895,455	1,071,833	940,680	732,375	624,375	531,790	617,625	490,512	610,875	8,205,848	
Maximum Direct Diversion Rate	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946	608,946		
Developed Direct Diversion Rate	0	0	0	286,509	462,886	331,734	123,429	15,429	0	8,679	0	1,929	1,230,594	





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.

G SCOTT FAHEY;

2004 APR -8 PM 12: 58

DIV OF WATER RIGHTS  
SACRAMENTO

APPLICATION NO.: A029977  
PERMIT NO.: 020784  
CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**G SCOTT FAHEY**  
2787 STONY FORK WAY  
BOISE, ID 83706

#### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
Unnamed Spring (AKA SUGAR PINE SPRING)		Tuolumne
DEADWOOD SPRING		Tuolumne

<b>MAX DIRECT DIVERSION RATE:</b> .062 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]	<b>MAX COLLECTION TO STORAGE AMOUNT:</b> 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)
Industrial	0 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: 12/31/2011

**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. Time extensions may be authorized for good cause.

**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?

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 \_\_\_\_\_ Acres
  - b.  Frost Protection \_\_\_\_\_ Acres
  - c.  Heat Control \_\_\_\_\_ Acres
  - d.  Industrial Bottled Water  
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: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

**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] Date: 04/03/04 Phone No: (208) 345-5170  
PERMITTEE (OR AGENT/DESIGNEE)

AMOUNT OF WATER USED:						
APPL. NO. A029977						
PERMIT NO. 020784						
	Jan. 03	Feb. 03	Mar. 03	Apr. 03	May. 03	June. 03
Total Gallons	1,262,095	1,309,500	1,167,750	1,167,750	1,086,750	1,404,000
Deadwood Spring						
Total	631,048	608,918	426,229	525,488	499,905	624,780
Appropriated	611,520	608,918	426,229	525,488	499,905	611,520
Developed	19,528	-	-	-	-	13,260
Sugar Pine Spring						
Total	631,048	700,583	741,521	642,263	586,845	779,220
Appropriated	611,520	611,520	611,520	611,520	586,845	611,520
Developed	19,528	89,063	130,001	30,743	-	167,700
	July. 03	Aug. 03	Sept. 03	Oct. 03	Nov. 03	Dec. 03
Total Gallons	1,478,250	1,269,000	1,201,500	1,228,500	762,750	1,336,500
Deadwood Spring						
Total	657,821	571,050	534,668	577,395	354,679	621,473
Appropriated	611,520	571,050	534,668	577,395	354,679	611,520
Developed	46,301	-	-	-	-	9,953
Sugar Pine Spring						
Total	820,429	697,950	666,833	651,105	408,071	715,028
Appropriated	611,520	611,520	611,520	611,520	408,071	611,520
Developed	208,909	86,430	55,313	39,585	-	103,508



A029977%P%2004

STATE WATER RESOURCES CONTROL BOARD

2004

PROGRESS REPORT BY PERMITTEE FOR

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

G SCOTT FAHEY;

2005 MAR 28 PM 1:07

DIV. OF WATER RIGHTS

APPLICATION NO.: A029977

PERMIT NO.: 020784

CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

G SCOTT FAHEY
2787 STONY FORK WAY
BOISE, ID 83706

PERMIT SUMMARY

Table with 3 columns: NAME(S) OF SOURCES OF WATER, PARCEL NO, COUNTY LOCATION. Rows include Unnamed Spring (AKA SUGAR PINE SPRING) and DEADWOOD SPRING, both in Tuolumne county.

MAX DIRECT DIVERSION RATE: .062 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]
MAX COLLECTION TO STORAGE AMOUNT: AC-FT [Total reservoir(s) storage volume in acre-feet (AC-FT)]

Table with 4 columns: PERMITTED USE(S) OF WATER, ACRES, DIRECT DIVERSION SEASON, COLLECTION TO STORAGE SEASON. Row: Industrial, 0 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: 12/31/2011

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.

- 1. [X] YES [ ] NO I have currently reviewed my water right permit.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the permit.
3. [ ] YES [X] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the permit.

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:

- 4. [ ] REVOCATION - The project has been abandoned and I request revocation of the permit.
5. [X] 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.
6. [ ] PROJECT HAS NOT BEEN COMPLETED
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. <input 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 checked="" type="checkbox"/> Industrial <u>Bottled Water</u> 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: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

**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] Date: 3/23/05 Phone No: (208) 345-5170  
PERMITTEE (OR AGENT/DESIGNEE)

<b>2004</b>						
AMOUNT OF WATER USED :						
APPL. NO. A029977						
PERMIT NO. 020784						
	Jan. 04	Feb. 04	Mar. 04	Apr. 04	May. 04	June. 04
Total Gallons	1,248,750	1,059,750	1,026,000	783,000	972,000	1,174,500
Deadwood Spring						
Subtotal	624,375	529,875	513,000	-	194,400	270,135
Appropriated	611,520	529,875	513,000	-	194,400	270,135
Developed	12,855	-	-	-	-	-
Sugar Pine Spring						
Subtotal	624,375	529,875	513,000	783,000	777,600	904,365
Appropriated	611,520	529,875	513,000	611,520	611,520	611,520
Developed	12,855	-	-	171,480	166,080	292,845
	July. 04	Aug. 04	Sept. 04	Oct. 04	Nov. 04	Dec. 04
Total Gallons	1,215,000	1,373,827	1,068,642	941,530	987,718	1,129,050
Deadwood Spring						
Subtotal	522,450	590,746	448,829	357,781	395,087	553,235
Appropriated	522,450	590,746	448,829	357,781	395,087	553,235
Developed	-	-	-	-	-	-
Sugar Pine Spring						
Subtotal	692,550	783,081	619,812	583,749	592,631	575,816
Appropriated	611,520	611,520	611,520	583,749	592,631	575,816
Developed	81,030	171,561	8,292	-	-	-

Return completed Report to: STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000



A029977%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.

G SCOTT FAHEY;

2005 MAR 23 PM 12:36

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
APPLICATION NO.: A029977  
PERMIT NO.: 020784  
CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**G SCOTT FAHEY**  
2787 STONY FORK WAY  
BOISE, ID 83706

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
Unnamed Spring (AKA SUGAR PINE SPRING)		Tuolumne
DEADWOOD SPRING		Tuolumne

MAX DIRECT DIVERSION RATE: .062 CFS  
[Cubic feet per second (CFS) or Gallons per day(GPD)]

MAX COLLECTION TO STORAGE AMOUNT: 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)
Industrial	0 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: 12/31/2011

**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?
- 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:
- a.  Irrigation \_\_\_\_\_ Acres
  - b.  Frost Protection \_\_\_\_\_ Acres
  - c.  Heat Control \_\_\_\_\_ Acres
  - d.  Industrial Bottled Water \_\_\_\_\_ Acres  
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:** 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: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

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

Date: 3/20/06

Phone No: (208) 345-5170

STATE WATER RESOURCES  
CONTROL BOARD

2006 MAR 23 PM 12:36

DIV. OF WATER RIGHTS  
SACRAMENTO

<b>2005</b>						
<b>AMOUNT OF WATER USED:</b>						
APPL. NO. A029977						
PERMIT NO. 020784						
	Jan. 05	Feb. 05	Mar. 05	Apr. 05	May. 05	June. 05
Total Gallons	1,127,854	1,213,971	1,145,748	1,561,760	1,552,848	1,855,262
<b>Deadwood Spring</b>						
Subtotal	552,648	594,846	561,417	702,792	559,025	667,894
Appropriated	552,648	594,846	561,417	611,520	559,025	611,520
Developed	-	-	-	91,272	-	56,374
<b>Sugar Pine Spring</b>						
Subtotal	575,206	619,125	584,332	858,968	993,823	1,187,367
Appropriated	575,206	611,520	584,332	611,520	611,520	611,520
Developed	-	7,605	-	247,448	382,303	575,847
	July. 05	Aug. 05	Sept. 05	Oct. 05	Nov. 05	Dec. 05
Total Gallons	1,966,967	1,890,851	2,203,247	1,165,610	1,069,700	812,857
<b>Deadwood Spring</b>						
Subtotal	747,448	775,249	705,039.06	326,371	417,183	325,143
Appropriated	611,520	611,520	611,520	326,371	417,183	325,143
Developed	135,928	163,729	93,519	-	-	-
<b>Sugar Pine Spring</b>						
Subtotal	1,219,520	1,115,602	1,498,208	839,239	652,517	487,714
Appropriated	611,520	611,520	611,520	611,520	611,520	487,714
Developed	608,000	504,082	886,688	227,719	40,997	-



A029977%P%2006

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

# PROGRESS REPORT BY PERMITTEE FOR 2006

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

G SCOTT FAHEY;

APPLICATION NO.: A029977  
PERMIT NO.: 020784  
CONTACT PHONE NO.: (208)345-5170

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**G SCOTT FAHEY**  
**2787 STONY FORK WAY**  
**BOISE, ID 83706**

### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
Unnamed Spring (AKA SUGAR PINE SPRING)		Tuolumne
DEADWOOD SPRING		Tuolumne

<b>MAX DIRECT DIVERSION RATE:</b> .062 CFS [Cubic feet per second (CFS) or Gallons per day(GPD)]	<b>MAX COLLECTION TO STORAGE AMOUNT:</b> 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>DIRECT DIVERSION SEASON</b> (month/day to month/day)
Industrial	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:** 12/31/2011

**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?

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:

- a.  Irrigation \_\_\_\_\_ Acres
- b.  Frost Protection \_\_\_\_\_ Acres
- c.  Heat Control \_\_\_\_\_ Acres
- d.  Industrial Bottled Water  
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:** 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: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

**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: 4/2/07

Phone No: (208) 345-5170

<b>2006</b>						
<u>AMOUNT OF WATER USED:</u>						
APPL. NO. A029977						
PERMIT NO. 020784						
	January	February	March	April	May	June
Total Gallons	812,857	1,075,221	1,154,159	998,928	902,164	934,237
Deadwood Spring						
Subtotal	353,593	467,721	484,747	439,528	234,563	233,559
Appropriated	353,593	467,721	484,747	439,528	234,563	233,559
Developed	-	-	-	-	-	-
Sugar Pine Spring						
Subtotal	459,264	607,500	669,412	559,400	667,601	700,678
Appropriated	459,264	607,500	611,520	559,400	611,521	611,521
Developed	-	-	57,892	-	56,080	89,157
	July	August	September	October	November	December
Total Gallons	1,036,299	1,092,018	1,039,280	1,203,825	836,993	892,064
Deadwood Spring						
Subtotal	207,260	262,084	311,784	361,148	334,797	356,826
Appropriated	207,260	262,084	311,784	361,148	334,797	356,826
Developed	-	-	-	-	-	-
Sugar Pine Spring						
Subtotal	829,039	829,934	727,496	842,678	502,196	535,239
Appropriated	611,521	611,521	611,521	611,521	502,196	535,239
Developed	217,518	218,413	115,975	231,157	-	-



# PROGRESS REPORT BY PERMITTEE FOR 2007

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

G SCOTT FAHEY

APPLICATION NO: A029977  
PERMIT NO: 020784  
CONTACT PHONE NO: 208-345-5170

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

G SCOTT FAHEY  
2787 STONY FORK WAY  
BOISE, ID 83706

MAY -6 AM 10:18  
SUPERVISOR

### PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	PARCEL NO	COUNTY LOCATION
UNSP (AKA SUGAR PINE SPRING)		Tuolumne
DEADWOOD SPRING		Tuolumne

**MAX DIRECT DIVERSION RATE:** 0.062 Cubic Feet per Second

**MAX COLLECTION TO STORAGE AMOUNT:** 0 AC-FT

**WATER RIGHT FACE VALUE:** 44.8 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)

Industrial

0.0

1/1 to 12/31

**DATE BY WHICH PERMITEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING**

**COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER:** 12/31/2011

**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?

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. <input 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 checked="" type="checkbox"/> Industrial | <u>Bottled Water</u><br>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:** 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

**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] Date: 5/1/08 Phone No: (208) 345-5170  
PERMITTEE (OR AGENT / DESIGNEE)

<b>2007</b>						
<b>AMOUNT OF WATER USED:</b>	12,326,785	Gallons				
APPL. NO. A029977						
PERMIT NO. 020784						
	January	February	March	April	May	June
Total Gallons	1,018,755	1,236,519	797,828	1,390,382	1,338,440	1,272,303
Deadwood Spring						
Subtotal	417,690	375,902	242,540	636,999	448,487	394,327
Appropriated	417,690	375,902	242,540	611,520	448,487	394,327
Developed	-	-	-	25,478.57	-	-
Sugar Pine Spring						
Subtotal	601,066	860,617	555,288	753,383	889,953	877,976
Appropriated	601,066	611,520	555,288	611,521	611,521	611,521
Developed	-	249,097	-	141,862	278,432	266,455
	July	August	September	October	November	December
Total Gallons	895,430	872,304	1,036,062	887,632	875,748	705,381
Deadwood Spring						
Subtotal	319,692	336,001	484,212	460,137	449,982	359,745
Appropriated	319,692	336,001	484,212	460,137	449,982	359,745
Developed	-	-	-	-	-	-
Sugar Pine Spring						
Subtotal	575,738	536,303	551,850	427,495	425,767	345,637
Appropriated	575,738	536,303	551,850	427,495	425,767	345,637
Developed	-	-	-	-	-	-



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

# PROGRESS REPORT BY PERMITTEE FOR 2008

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

G SCOTT FAHEY

APPLICATION NO: A029977  
PERMIT NO: 020784  
CONTACT PHONE NO: 208-345-5370

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

G SCOTT FAHEY  
2787 STONY FORK WAY  
BOISE, ID 83706

2009 MAR 10 PM 12:23  
DIV OF WATER RIGHTS  
SACRAMENTO, CA

## PERMIT SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)	POD PARCEL NO	COUNTY LOCATION
UNSP (AKA SUGAR PINE SPRING)		Tuolumne
DEADWOOD SPRING		Tuolumne

MAX DIRECT DIVERSION RATE:	MAX COLLECTION TO STORAGE AMOUNT:
0.062 Cubic Feet per Second	0 AC-FT

WATER RIGHT FACE VALUE:	PERMITTED USE(S) OF WATER	ACRES	DIRECT DIVERSION SEASON	COLLECTION TO STORAGE SEASON
44.8 AC-FT	(First 4 uses displayed below)	(AC)	(month/day to month/day)	(month/day to month/day)
Industrial		0.0	1/1 to 12/31	

**DATE BY WHICH PERMITEE SHALL COMPLETE THE AUTHORIZED PROJECT, INCLUDING COMPLIANCE WITH ALL PERMIT TERMS AND CONDITIONS, AND MAKE FULL BENEFICIAL USE OF WATER:** 12/31/2011

**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?

- 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:

- a.  Irrigation \_\_\_\_\_ Acres
- b.  Frost Protection \_\_\_\_\_ Acres
- c.  Heat Control \_\_\_\_\_ Acres
- d.  Industrial Bottled Spring Water  
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 Dept. of Correction - Emergency Wtr. Supply  
Specify \* Potable Water Bulk Supply

**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: See Attached

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Annual

**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] Date: 3/6/09 Phone No: (208) 345-5170  
PERMITEE (OR AGENT / DESIGNEE)

<b>2008</b>						
<b>AMOUNT OF WATER USED:</b>		11,646,522	Gallons			
APPL. NO. A029977						
PERMIT NO. 020784						
	January	February	March	April	May	June
Total Gallons	705,381	1,075,732	963,918	1,144,697	1,168,741	910,921
Deadwood Spring	51.0%	51.0%	51.0%	54.8%	51.0%	49.6%
Subtotal	359,745	548,623	491,598	627,490	596,058	451,427
Appropriated	359,745	548,623	491,598	611,520	596,058	451,427
Developed	-	-	-	15,969.93	-	-
Sugar Pine Spring	49.0%	49.0%	49.0%	45.2%	49.0%	50.4%
Subtotal	345,637	527,109	472,320	517,207	572,683	459,495
Appropriated	345,637	527,109	472,320	517,207	572,683	459,495
Developed	-	-	-	-	-	-
	July	August	September	October	November	December
Total Gallons	1,057,834	1,080,170	1,092,240	947,073	930,145	569,668
Deadwood Spring	50.1%	51.2%	52.0%	53.8%	54.8%	52.0%
Subtotal	530,025	552,661	567,965	509,441	509,711	296,228
Appropriated	530,025	552,661	567,965	509,441	509,711	296,228
Developed	-	-	-	-	-	-
Sugar Pine Spring	49.9%	48.8%	48.0%	46.2%	45.2%	48.0%
Subtotal	527,809	527,509	524,275	437,632	420,434	273,441
Appropriated	527,809	527,509	524,275	437,632	420,434	273,441
Developed	-	-	-	-	-	-

STATE POLICE  
(CALIFORNIA)

2009 MAR 10 PM 12:23

DIV OF INVESTIGATIONS  
SACRAMENTO

**[SUMMARY OF FINAL SUBMITTED VERSION]****PROGRESS REPORT BY PERMITTEE FOR 2009**

Primary Owner: G SCOTT FAHEY  
 Application Number: A029977  
 Permit Number: 020784  
 Date Submitted: 2010-03-12

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use	
Industrial	Bulk Wholesale of Federally Certified Spring Water

Month	Amount directly diverted or collected to storage (Gallons)	Amount beneficially used (Gallons)
January	1206750	875281
February	1263170	895419
March	1836030	1117315
April	1924700	1094993
May	1803620	887591
June	1991870	936554
July	1581890	1314082
August	1584180	1122908
September	1379840	1014612
October	1238490	941628
November	1467990	1050295
December	1380450	743857
Total	18658980	11994535

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

#### Conservation of Water

Are you now employing water conservation efforts?	No
Description of water conservation efforts	
Amount of water conserved	

#### Water Quality and Wastewater Reclamation

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?	No
Amount of reclaimed, desalinated, or polluted water used	

#### Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
Amounts of groundwater used	

#### Additional Remarks

--

#### Contact Information of the Person Submitting the Form

First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**[SUMMARY OF FINAL SUBMITTED VERSION]****PROGRESS REPORT BY PERMITTEE FOR 2010**

Primary Owner: G SCOTT FAHEY

Application Number: A029977

Permit Number: 020784

Date Submitted: 2011-03-30

Compliance with Permit Terms and Conditions	
I have reviewed my water right permit	Yes
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	

Permitted Project Status	
Project Status	Complete
Construction work has commenced	
Construction is completed	
Beneficial uses of water has commenced	
Project will be completed within the time period specified in the permit	
Explanation of work remaining to be done	
Estimated date of completion	

Purpose of Use	
Industrial	Bulk Wholesale of Fedreally Certified Spring Water

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	977106	977106
February	1123027	1123027
March	1569801	1569801
April	1221397	1221397
May	1443712	1443712
June	1351842	1351842
July	1503944	1503944
August	1650053	1650053
September	1453583	1453583
October	1211799	1211799
November	1102833	1102833
December	1267322	1267322
Total	15876419	15876419

Month	Maximum Rate of Diversion (GPM)
January	22.3
February	25.6
March	35.8
April	27.9
May	33
June	30.9
July	34.3
August	37.7
September	33.2
October	27.7
November	25.2
December	28.8

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

#### Conservation of Water

Are you now employing water conservation efforts?	No
Description of water conservation efforts	
Amount of water conserved	

#### Water Quality and Wastewater Reclamation

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?	No
Amount of reclaimed, desalinated, or polluted water used	

#### Conjunctive Use of Groundwater and Surface Water

During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
Amounts of groundwater used	

#### Additional Remarks

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#### Attachments

File Name	Size
<a href="#">2010 Water Rights Reporting.xls</a>	25 KB

#### Contact Information of the Person Submitting the Form

First Name	G Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 020784**

<b>2010</b>	January	February	March	April	May	June	July	August	September	October	November	December	Total	<b>2010</b>
<b>Deadwood &amp; Sugar Pine Springs</b>														
Total Diverted & Used	977,106	1,123,027	1,569,801	1,221,397	1,443,712	1,351,842	1,503,944	1,650,053	1,453,583	1,211,799	1,102,833	1,267,322	15,876,419	Total Diverted & Used
Permit No. 20784 Diversion	977,106	1,096,485	1,226,400	1,138,817	1,214,563	1,150,292	1,226,400	1,226,400	1,226,400	1,197,017	1,102,833	1,226,400	14,009,114	Permit No. 20784 Diversion
Developed Right	0	26,542	343,401	82,579	229,149	201,549	277,544	423,653	227,183	14,782	0	40,922	1,867,305	Developed Right
GPM	22.3	25.6	35.8	27.9	33.0	30.9	34.3	37.7	33.2	27.7	25.2	28.9	30.2	GPM
<b>Deadwood Spring</b>														
Total Diverted & Used	556,617	639,742	894,251	695,779	601,363	537,092	705,225	825,169	733,225	627,982	551,512	633,771	8,001,729	Total Diverted & Used
Permit No. 20784 Diversion	556,617	613,200	613,200	613,200	601,363	537,092	613,200	613,200	613,200	613,200	551,512	613,200	7,152,185	Permit No. 20784 Diversion
Developed Right	0	26,542	281,051	82,579	0	0	92,025	211,969	120,025	14,782	0	20,571	849,545	Developed Right
GPM	12.7	14.6	20.4	15.9	13.7	12.3	16.1	18.8	16.7	14.3	12.6	14.5	15.2	GPM
<b>Sugar Pine Spring</b>														
Total Diverted & Used	420,489	483,285	675,550	525,617	842,349	814,749	798,719	824,883	720,359	583,817	551,321	633,551	7,874,690	Total Diverted & Used
Permit No. 20784 Diversion	420,489	483,285	613,200	525,617	613,200	613,200	613,200	613,200	613,200	583,817	551,321	613,200	6,856,930	Permit No. 20784 Diversion
Developed Right	0	0	62,350	0	229,149	201,549	185,519	211,683	107,159	0	0	20,351	1,017,760	Developed Right
GPM	9.6	11.0	15.4	12.0	19.2	18.6	18.2	18.8	16.4	13.3	12.6	14.5	15.0	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]****PROGRESS REPORT BY PERMITTEE FOR 2011**

Primary Owner: G SCOTT FAHEY  
 Application Number: A029977  
 Permit Number: 020784  
 Date Submitted: 2012-03-10

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers

8. Amount of Water Diverted and Used		
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	1321086	1321086
February	1308297	1308297
March	1604448	1604448
April	1977298	1977298
May	2145548	2145548
June	2217940	2217940
July	1856942	1856942
August	2142381	2142381

September	1489170	1489170
October	1506727	1506727
November	1511693	1511693
December	1575106	1575106
Total	20656636	20656636

## 9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	29.6
February	32.4
March	35.9
April	45.8
May	48.1
June	51.3
July	41.6
August	48
September	34.5
October	33.8
November	35
December	35.3

## 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

## Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

## Conjunctive Use of Groundwater and Surface Water

15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

## Additional Remarks

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## Attachments

File Name	Description	Size
<a href="#">2011 Water Rights Reporting.xls</a>		24 KB

## Contact Information of the Person Submitting the Form

First Name	G Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 020784**

<b>2011</b>	January	February	March	April	May	June	July	August	September	October	November	December	Total	<b>2011</b>
<b>Deadwood &amp; Sugar Pine Springs</b>														
Total Diverted & Used	1,321,086	1,308,297	1,604,448	1,977,298	2,145,548	2,217,940	1,856,942	2,142,381	1,489,170	1,506,727	1,511,693	1,575,106	20,656,636	Total Diverted & Used
Permit No. 20784 Diversion	94,686	81,897	378,048	753,888	919,148	991,540	630,542	915,981	262,770	280,327	285,293	391,706	5,985,825	Permit No. 20784 Diversion
Developed Right	1,226,400	1,226,400	1,226,400	1,223,410	1,226,400	1,226,400	1,226,400	1,226,400	1,226,400	1,226,400	1,226,400	1,183,400	14,670,811	Developed Right
GPM	29.6	32.4	35.9	45.8	48.1	51.3	41.6	48.0	34.5	33.8	35.0	35.3	39.3	GPM
<b>Deadwood Spring</b>														
Total Diverted & Used	660,658	654,262	802,363	1,367,088	1,483,414	1,219,867	1,183,694	1,232,226	829,694	839,476	842,243	570,200	11,685,186	Total Diverted & Used
Permit No. 20784 Diversion	47,458	41,062	189,163	753,888	870,214	606,667	570,494	619,026	216,494	226,276	229,043	0	4,369,785	Permit No. 20784 Diversion
Developed Right	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	570,200	7,315,400	Developed Right
GPM	14.8	16.2	18.0	31.6	33.2	28.2	26.5	27.6	19.2	18.8	19.5	12.8	22.2	GPM
<b>Sugar Pine Spring</b>														
Total Diverted & Used	660,428	654,035	802,085	610,210	662,134	998,073	673,248	910,155	659,476	667,251	669,450	1,004,906	8,971,450	Total Diverted & Used
Permit No. 20784 Diversion	47,228	40,835	188,885	0	48,934	384,873	60,048	296,955	46,276	54,051	56,250	391,706	1,616,040	Permit No. 20784 Diversion
Developed Right	613,200	613,200	613,200	610,210	613,200	613,200	613,200	613,200	613,200	613,200	613,200	613,200	7,355,410	Developed Right
GPM	14.8	16.2	18.0	14.1	14.8	23.1	15.1	20.4	15.3	14.9	15.5	22.5	17.1	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]**

**PROGRESS REPORT BY PERMITTEE FOR 2012**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2013-02-09

Application Number: A029977  
 Permit Number: 020784

Source(s) of Water	POD Parcel Number	County
DEADWOOD SPRING		Tuolumne
UNSP (AKA SUGAR PINE SPRING)		Tuolumne

MAX Direct Diversion Rate: 0.062 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 44.8 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers

## 8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	852287	852287
February	1026099	1026099
March	1175729	1175729
April	945815	945815
May	866115	866115
June	1296919	1296919
July	1466811	1466811
August	1374568	1374568
September	1253441	1253441
October	1333115	1333115
November	1086482	1086482
December	986971	986971
Total	13664352	13664352
Comments		

## 9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	19.1
February	24.6
March	26.3
April	21.9
May	19.4
June	30
July	32.9
August	30.8
September	29
October	29.9
November	25.2
December	22.1

## 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

## Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2012 Water Rights Reporting-DW&amp;SP.xls</a>		24 KB

Contact Information of the Person Submitting the Form	
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First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Permit No. 020784

2012	January	February	March	April	May	June	July	August	September	October	November	December	Total	2012
<b>Deadwood &amp; Sugar Pine Springs</b>														<b>Deadwood &amp; Sugar Pine Springs</b>
Total Diverted & Used	852,287	1,026,099	1,175,729	945,815	866,115	1,296,919	1,466,811	1,374,568	1,253,441	1,333,115	1,086,482	986,971	13,664,353	Total Diverted & Used
Permit No. 20784 Diversion	852,287	613,400	613,400	613,400	613,400	613,400	733,352	741,843	640,241	711,383	531,871	432,360	12,786,394	Permit No. 20784 Diversion
Developed Right	0	18,971	126,911	38,524	35,113	136,740	240,411	148,168	28,806	106,715	0	0	880,359	Developed Right
GPM	19.1	24.6	26.3	21.9	19.4	30.0	32.9	30.8	29.0	29.9	25.2	22.1	26.0	GPM
<b>Deadwood Spring</b>														<b>Deadwood Spring</b>
2012	January	February	March	April	May	June	July	August	September	October	November	December		Total Diverted & Used
Deadwood Spring (gallons)	337,979	393,928	435,619	294,090	217,802	546,979	733,152	741,643	642,006	711,183	554,612	554,612	6,163,603	Total Diverted & Used
Permit No. 20784 Diversion	337,979	393,928	435,619	294,090	217,802	546,979	613,400	613,400	613,400	613,400	554,612	554,612	5,789,220	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	119,952	128,443	28,806	97,983	0	0	375,184	Developed Right
GPM	7.6	9.4	9.8	6.8	4.9	12.7	16.4	16.6	14.9	15.9	12.8	12.4	11.7	GPM
<b>Sugar Pine Spring</b>														<b>Sugar Pine Spring</b>
2012	January	February	March	April	May	June	July	August	September	October	November	December		Total Diverted & Used
Sugar Pine Spring (gallons)	514,308	632,171	740,111	651,724	648,313	749,940	733,659	632,924	611,435	621,932	531,871	432,360	7,500,749	Total Diverted & Used
Permit No. 20784 Diversion	514,308	613,400	613,400	613,400	613,400	613,400	613,400	613,400	611,435	613,400	531,871	432,360	6,997,174	Permit No. 20784 Diversion
Developed Right	0	18,971	126,911	38,524	35,113	136,740	120,459	19,724	0	8,732	0	0	505,175	Developed Right
GPM	11.5	15.1	16.6	15.1	14.5	17.4	16.4	14.2	14.2	13.9	12.3	9.7	14.3	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]**

**PROGRESS REPORT BY PERMITTEE FOR 2013**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2014-02-05

Application Number: A029977  
 Permit Number: 020784

Source(s) of Water	POD Parcel Number	County
DEADWOOD SPRING		Tuolumne
UNSP (AKA SUGAR PINE SPRING)		Tuolumne

MAX Direct Diversion Rate: 0.062 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 44.8 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

<b>1. Permit Review</b>	
I have reviewed my water right permit	Yes

<b>2. Compliance with Permit Terms and Conditions</b>	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

<b>3. Changes to the Project</b>	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

<b>4-6. Permitted Project Status</b>	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

<b>7. Purpose of Use</b>	
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers

## 8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	1057619	1057619
February	1102730	1102730
March	1131644	1131644
April	960101	960101
May	729785	729785
June	918364	918364
July	924937	924937
August	765236	765236
September	8921	8921
October	3342	3342
November	6699	6699
December	6611	6611
Total	7615989	7615989
Comments		

## 9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	23.7
February	26.4
March	25.4
April	22.2
May	16.3
June	21.3
July	20.7
August	17.1
September	0.2
October	0.1
November	0.2
December	0.1

## 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

## Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2013 Water Rights Reporting-DW&amp;SP.xls</a>		24 KB

Contact Information of the Person Submitting the Form	
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First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 020784**

<b>2013</b>	January	February	March	April	May	June	July	August	September	October	November	December	Total	<b>2013</b>
<b>Deadwood &amp; Sugar Pine Springs</b>														<b>Deadwood &amp; Sugar Pine Springs</b>
Total Diverted & Used	1,057,619	1,102,730	1,131,644	960,101	729,785	918,364	924,937	765,236	8,921	3,342	6,699	6,611	7,615,991	Total Diverted & Used
Permit No. 20784 Diversion	1,057,619	489,530	518,444	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	7,541,915	Permit No. 20784 Diversion
Developed Right	0	25,289	49,187	0	0	0	0	0	0	0	0	0	74,476	Developed Right
GPM	23.7	26.4	25.4	22.2	16.3	21.3	20.7	17.1	0.2	0.1	0.2	0.1	14.5	GPM
<b>2013</b>														<b>Deadwood Spring</b>
Deadwood Spring (gallons)	582,411	638,489	662,387	541,155	406,554	468,692	482,778	396,866	3,766	1,883	3,766	3,766	4,192,512	Total Diverted & Used
Permit No. 20784 Diversion	582,411	613,400	613,400	541,155	406,554	468,692	482,778	396,866	3,766	1,883	3,766	3,766	4,118,436	Permit No. 20784 Diversion
Developed Right	0	25,289	49,187	0	0	0	0	0	0	0	0	0	74,476	Developed Right
GPM	13.0	15.8	14.8	12.5	9.1	10.8	10.8	8.9	0.1	0.0	0.1	0.1	8.0	GPM
<b>2013</b>														<b>Sugar Pine Spring</b>
Sugar Pine Spring (gallons)	475,208	464,241	469,257	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	3,423,479	Total Diverted & Used
Permit No. 20784 Diversion	475,208	464,241	469,257	418,945	323,231	449,672	442,159	368,370	5,156	1,460	2,934	2,846	3,423,479	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	10.6	11.5	10.5	9.7	7.2	10.4	9.9	8.3	0.1	0.0	0.1	0.1	6.5	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]**

**PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2015-03-03

Application Number: A029977  
 Permit Number: 020784

Source(s) of Water	POD Parcel Number	County
DEADWOOD SPRING		Tuolumne
UNSP (AKA SUGAR PINE SPRING)		Tuolumne

MAX Direct Diversion Rate: 0.062 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 44.8 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk wholesale of Federally Certified Spring Water to State Certified Bottlers

## 8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	294577	294577
February	788800	788800
March	667247	667247
April	518441	518441
May	639117	639117
June	681103	681103
July	718556	718556
August	644405	644405
September	648128	648128
October	694220	694220
November	576025	576025
December	603810	603810
Total	7474429	7474429
Comments		

## 9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	6.6
February	18.9
March	14.9
April	12
May	14.3
June	15.8
July	16.1
August	14.4
September	15
October	15.6
November	13.3
December	13.5

## 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

## Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2014 Water Rights Reporting-DW&amp;SP.xls</a>	Use from each respective spring	24 KB

Contact Information of the Person Submitting the Form	
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First Name	G SCOTT
Last Name	FAHEY
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Permit No. 020784

2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2014
<b>Deadwood &amp; Sugar Pine Springs</b>														<b>Deadwood &amp; Sugar Pine Springs</b>
Total Diverted & Used	294,577	788,800	667,247	518,441	639,117	681,103	718,556	644,405	648,128	694,220	576,025	603,810	7,474,429	Total Diverted & Used
Permit No. 20784 Diversion	294,577	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	7,474,429	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	6.6	18.9	14.9	12.0	14.3	15.8	16.1	14.4	15.0	15.6	13.3	13.5	14.2	GPM
<b>Deadwood Spring</b>														<b>Deadwood Spring</b>
2014	January	February	March	April	May	June	July	August	September	October	November	December		
Deadwood Spring (gallons)	85,922	466,240	310,127	172,841	281,997	335,503	361,436	287,285	302,528	337,100	230,425	246,690	3,418,094	Deadwood Spring
Permit No. 20784 Diversion	85,922	466,240	310,127	172,841	281,997	335,503	361,436	287,285	302,528	337,100	230,425	246,690	3,418,094	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	1.9	11.6	6.9	4.0	6.3	7.8	8.1	6.4	7.0	7.6	5.3	5.5	6.5	GPM
<b>Sugar Pine Spring</b>														<b>Sugar Pine Spring</b>
2014	January	February	March	April	May	June	July	August	September	October	November	December		
Sugar Pine Spring (gallons)	208,655	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	4,056,335	Total Diverted & Used
Permit No. 20784 Diversion	208,655	322,560	357,120	345,600	357,120	345,600	357,120	357,120	345,600	357,120	345,600	357,120	4,056,335	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	4.7	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	8.0	7.7	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]  
PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY  
Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491  
Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
MAX Collection to Storage: 0.0 AC-FT  
Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

<b>1. Permit Review</b>	
I have reviewed my water right permit	Yes

<b>2. Compliance with Permit Terms and Conditions</b>	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

<b>3. Changes to the Project</b>	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

<b>4-6. Permitted Project Status</b>	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

<b>7. Purpose of Use</b>	
Industrial	Bulk Wholesale of Federally Certified Spring Water

ATTACHMENT 1

<b>8. Amount of Water Diverted and Used</b>			
<b>Month</b>	<b>Amount directly diverted (Acre-Feet)</b>	<b>Amount diverted or collected to storage (Acre-Feet)</b>	<b>Amount used (Acre-Feet)</b>
January	0	0	0
February	1.74	0	1.74
March	1.05	0	1.05
April	0.43	0	0.43
May	0.94	0	0.94
June	1.17	0	1.17
July	1.22	0	1.22
August	0.83	0	0.83
September	0.73	0	0.73
October	0.86	0	0.86
November	0.4	0	0.4
December	0.46	0	0.46
Total	9.83	0	9.83
Type of Diversion	Direct Diversion Only		
Comments			

<b>Water Transfers</b>	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

<b>Water Supply Contracts</b>	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2014	
8q. Amount (Acre-Feet) projected for 2015	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

<b>9. Maximum Rate of Diversion for each Month</b>	
<b>Month</b>	<b>Maximum Rate of Diversion (GPM)</b>
January	0
February	14.1
March	7.6

## ATTACHMENT 1

April	3.3
May	6.9
June	8.8
July	8.9
August	6.1
September	5.5
October	6.3
November	3
December	3.3

**10. Storage**

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

**Conservation of Water**

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

**Water Quality and Wastewater Reclamation**

13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

**Conjunctive Use of Groundwater and Surface Water**

15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

**Additional Remarks**

2014 Diverted Surface Water Reduced by the Amount of Intercepted Percolating Groundwater Diverted and Used, and Claimed as a Developed Water Right.

**Attachments**

File Name	Description	Size
<a href="#">2014 Water Rights Reporting-M&amp;P.xls</a>	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	36 KB

**Contact Information of the Person Submitting the Form**

First Name	G SCOTT
Last Name	FAHEY
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Permit No. 021289

REVISED 2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104	REVISED
<b>Marco &amp; Polo Springs</b>														<b>Marco &amp; Polo Springs</b>	
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used	
Permit No. 20784 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524.08	Developed Right	
GPM	0.0	18.3	17.5	16.6	15.8	15.0	14.2	13.4	12.6	11.8	11.0	10.2	14.2	GPM	
<b>Marco Spring</b>														<b>Marco Spring</b>	
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,501,524	Total Diverted & Used	
Marco Spring (gallons)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	-	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524	Developed Right	
GPM	0.0	8.0	7.9	7.8	7.7	7.6	7.5	7.4	7.3	7.2	7.1	7.0	7.5	GPM	
<b>Polo Spring</b>														<b>Polo Spring</b>	
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,233,994	Total Diverted & Used	
Polo Spring (gallons)	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
GPM	0.0	10.3	9.6	8.8	8.1	7.4	6.7	6.0	5.3	4.6	3.9	3.2	6.7	GPM	

As Originally Reported

2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104	
<b>Marco &amp; Polo Springs</b>														<b>Marco &amp; Polo Springs</b>	
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used	
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM	
<b>Marco Spring</b>														<b>Marco Spring</b>	
2014	January	February	March	April	May	June	July	August	September	October	November	December	1,894,207	Total Diverted & Used	
Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right	
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM	
<b>Polo Spring</b>														<b>Polo Spring</b>	
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,841,311	Total Diverted & Used	
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM	

**[SUMMARY OF FINAL SUBMITTED VERSION]  
PROGRESS REPORT BY PERMITTEE FOR 2015**

Primary Owner: G SCOTT FAHEY  
Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A029977  
Permit Number: 020784

Source(s) of Water	POD Parcel Number	County
DEADWOOD SPRING		Tuolumne
UNSP (AKA SUGAR PINE SPRING)		Tuolumne

MAX Direct Diversion Rate: 0.062 CFS  
MAX Collection to Storage: 0.0 AC-FT  
Face Value: 44.8 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

<b>1. Permit Review</b>	
I have reviewed my water right permit	Yes

<b>2. Compliance with Permit Terms and Conditions</b>	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

<b>3. Changes to the Project</b>	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

<b>4-6. Permitted Project Status</b>	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

<b>7. Purpose of Use</b>	
Industrial	Bulk Wholesale of Federally Certified Spring Water

ATTACHMENT 1

<b>8. Amount of Water Diverted and Used</b>			
<b>Month</b>	<b>Amount directly diverted (Acre-Feet)</b>	<b>Amount diverted or collected to storage (Acre-Feet)</b>	<b>Amount used (Acre-Feet)</b>
January	1.58	0	1.58
February	1.74	0	1.74
March	2.06	0	2.06
April	2.68	0	2.68
May	2.07	0	2.07
June	2.07	0	2.07
July	2.23	0	2.23
August	2.31	0	2.31
September	0.4	0	0.4
October	0.06	0	0.06
November	0.05	0	0.05
December	0.05	0	0.05
Total	17.3	0	17.3
Type of Diversion	Direct Diversion Only		
Comments			

<b>Water Transfers</b>	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

<b>Water Supply Contracts</b>	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

<b>9. Maximum Rate of Diversion for each Month</b>	
<b>Month</b>	<b>Maximum Rate of Diversion (GPM)</b>
January	11.05
February	14.7
March	15.05

## ATTACHMENT 1

April	20.18
May	15.12
June	15.61
July	16.27
August	16.87
September	2.99
October	0.42
November	0.39
December	0.38

#### 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

#### Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

#### Water Quality and Wastewater Reclamation

13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

#### Conjunctive Use of Groundwater and Surface Water

15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

#### Additional Remarks

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#### Attachments

File Name	Description	Size
<a href="#">2015 Water Rights Reporting-DW&amp;SP.xls</a>	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During 2015 Curtailment & FASS Periods, & Points of Use	47 KB

#### Contact Information of the Person Submitting the Form

First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 020784**

**2015**

	January	February	March	April	May	June	July	August	September	October	November	December	Total
<b>Deadwood &amp; Sugar Pine Springs</b>													
2015													2015
Total Diverted & Used	515,684	567,453	671,921	871,664	675,003	674,496	726,186	752,983	129,365	18,828	16,945	16,945	5,637,472
GPM	11.55	14.07	15.05	20.18	15.12	15.61	16.27	16.87	2.99	0.42	0.39	0.38	10.52
Permit No. 20784 Diversion	515,684	567,453	671,921	871,664	675,003	674,496	726,186	752,983	129,365	18,828	16,945	16,945	5,637,472
GPM	11.55	14.07	15.05	20.18	15.12	15.61	16.27	16.87	2.99	0.42	0.39	0.38	10.52
Developed Right (Percolating Grd. Wtr.)	0	0	0	0	0	0	0	0	0	0	0	0	0
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Deadwood Spring</b>													
2015													2015
Total Deadwood Spring (gallons)	274,110	291,389	293,721	308,350	258,593	246,549	254,461	261,478	99,760	18,827.54	16,945	16,945	2,341,128
GPM	6.14	7.23	6.58	7.14	5.79	5.71	5.70	5.86	2.31	0.42	0.39	0.38	4.37
Permit No. 20784 Diversion	274,110	291,389	293,721	308,350	258,593	246,549	254,461	261,478	99,760	18,827.54	16,945	16,945	2,341,128
GPM	6.14	7.23	6.58	7.14	5.79	5.71	5.70	5.86	2.31	0.42	0.39	0.38	4.37
Developed Right (Percolating Grd. Wtr.)	0	0	0	0	0	0	0	0	0	0	0	0	0
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Sugar Spring</b>													
2015													2015
Total Sugar Pine Spring (gallons)	241,574	276,064	378,200	563,313	416,411	427,947	471,725	491,504	29,605	0	0	0	3,296,344
GPM	5.41	6.18	8.47	12.62	9.33	9.59	10.57	11.01	0.66	0.00	0.00	0.00	6.15
Permit No. 20784 Diversion	241,574	276,064	378,200	563,313	416,411	427,947	471,725	491,504	29,605	0	0	0	3,296,344
GPM	5.41	6.18	8.47	12.62	9.33	9.59	10.57	11.01	0.66	0.00	0.00	0.00	6.15
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	1.58	1.74	2.06	2.68	2.07	2.07	2.23	2.31	0.40	0.06	0.05	0.05	17.30

Tuolumne Utility District Surplus Water Wheeled to New Don Pedro Reservoir				
Year	Annual Wheeling Ac-Ft	Credit Total Wheeled Ac-Ft	Debit to MID/TID/CCSF Ac-Ft	Foreign Water Credit Balance in NDPR Ac-Ft
2009	44.28	44.28	0	44.28
2010	44.28	88.55	0	88.55
2011	0	88.55	0	88.55
2012	0	88.55	0	88.55
2013	0	88.55	0	88.55
2014	0	88.55	18.12	70.43
2015	0	88.55	12.21	58.22
Date 2016	20.5	109.05	To Be Determined	78.72

**Water Diverted & Used  
2014 & 2015  
Curtailment & FASS Periods**

Permit No.	2014						2015						
	May	June	July	August	September	October	April	May	June	July	August	September	October
20784	639,117	681,103	718,556	644,405	648,128	694,220	871,664	675,003	674,496	726,186	752,983	129,365	18,828
21289	307,284	381,645	396,991	271,587	237,789	281,748	64,800	44,640	21,600	0	0	0	0
Total Gallons	946,402	1,062,747	1,115,547	915,992	885,917	975,967	936,464	719,643	696,096	726,186	752,983	129,365	18,828
Gallons as Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
* "Debit" to MID/TID/CCSF Total Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
** Foreign Water "Credit" in NDPR	88.55	85.65	82.38	78.96	76.15	73.43	70.43	67.56	65.35	63.22	60.99	58.68	58.28
						18.12							12.21

\*Pursuant to Term 34, Permit No. 21289, "Replacement Water" requested by SWRCB on behalf of MID/TID/CCSF."

\*\* Pursuant to January 26, 2004 Statement to Files by Division of Water Rights Chief, Victoria Whitney, 2003 TUD Water Exchange Agreement; and Term 34, Permit No. 21289

**Permit Nos. 20784 & 21289****Points of Use**

- 1 Nestle Waters N.A., Inc.  
777 W. Putman Ave.  
Greenwich, CT  
Bottling Arrowhead Spring Water  
in Livermore, CA
- 2 Absopure  
P.O. Box 701248  
Plymouth, MI 48170  
Bottling Various Brands  
in Modesto, CA
- 3 DS Waters, Inc.  
5660 New Northside Dr.  
Atlanta, GA  
Bottling Sierra Spring Water  
in Milpitas, CA
- 4 Niagara Bottling, Inc.  
2560 E. Philadelphia St  
Ontario, CA 91761  
Bottling Various Brands  
in Stockton, CA
- 5 DAIOHS U.S.A., Inc.  
dba DAIOHS First Choice Services  
1S660 Midwest Road, Suite 120  
Oakbrook Terrace, IL 60181  
Bottling Aqus Spring Water  
in Modesto, CA
- 6 Vito Trucking LLC  
2812 Nathan Ave.  
Modesto, CA 95354  
Providing Spring Water to  
Foster Farms in Delhi, CA

**[SUMMARY OF FINAL SUBMITTED VERSION]****PROGRESS REPORT BY PERMITTEE FOR 2011**

Primary Owner: G SCOTT FAHEY

Application Number: A031491

Permit Number: 021289

Date Submitted: 2012-03-16

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Not Complete
6a. Construction work has commenced	Yes
6b. Construction is completed	No
6c. Beneficial uses of water has commenced	No
6d. Project will be completed within the time period specified in the permit	Yes
6e. Explanation of work remaining to be done	By-pass Flow monitors USFS Fire Hydrant installation Diversion Flow Meter
6f. Estimated date of completion	06/30/2013

7. Purpose of Use	
Industrial	Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers

8. Amount of Water Diverted and Used		
Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0

July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

9. Maximum Rate of Diversion for each Month	
Month	Maximum Rate of Diversion (GPM)
January	0
February	0
March	0
April	0
May	0
June	0
July	0
August	0
September	0
October	0
November	0
December	0

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks

Attachments		
File Name	Description	Size

No Attachments

Contact Information of the Person Submitting the Form	
First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**[SUMMARY OF FINAL SUBMITTED VERSION]**

**PROGRESS REPORT BY PERMITTEE FOR 2012**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2013-02-09

Application Number: A031491  
 Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk wholesale of federally certified spring water to State certified water bottlers

## 8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	963666	963666
February	1191943	1191943
March	1437501	1437501
April	1355336	1355336
May	1422991	1422991
June	1384117	1384117
July	1064314	1064314
August	1045437	1045437
September	963012	963012
October	727034	727034
November	828253	828253
December	927764	927764
Total	13311368	13311368
Comments		

## 9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	21.6
February	26.7
March	32.2
April	30.4
May	31.9
June	31
July	23.8
August	23.4
September	21.6
October	16.3
November	18.6
December	20.8

## 10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

## Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

## Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2012 Water Rights Reporting-M&amp;P.xls</a>		24 KB

Contact Information of the Person Submitting the Form	
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First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Owner
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 021289**

<b>2012</b>	January	February	March	April	May	June	July	August	September	October	November	December	Total	<b>2012</b>
<b>Marco &amp; Polo Springs</b>														<b>Marco &amp; Polo Springs</b>
Total Diver	963,666	1,191,943	1,437,501	1,355,336	1,422,991	1,384,117	1,064,314	1,045,437	963,012	727,034	828,253	927,764	13,311,366	Total Diverted & Used
Permit No. 21289 Diversion	963,666	1,191,943	1,437,501	1,355,336	1,422,991	1,384,117	1,064,314	1,045,437	963,012	727,034	828,253	927,764	13,311,366	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	21.6	26.7	32.2	30.4	31.9	31.0	23.8	23.4	21.6	16.3	18.6	20.8	25.3	GPM
<b>Marco Spring</b>														<b>Marco Spring</b>
2012 Marco Spri	455,707	567,576	706,527	711,657	782,681	634,177	425,726	418,175	385,205	290,814	331,301	371,106	6,080,651	Total Diverted & Used
Permit No. 21289 Diversion	455,707	567,576	706,527	711,657	782,681	634,177	425,726	418,175	385,205	290,814	331,301	371,106	6,080,651	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	10.2	12.7	15.8	15.9	17.5	14.2	9.5	9.4	8.6	6.5	7.4	8.3	11.6	GPM
<b>Polo Spring</b>														<b>Polo Spring</b>
2012 Polo Spring	507,959	624,367	730,973	643,678	640,309	749,940	638,588	627,262	577,807	436,220	496,952	556,658	7,230,715	Total Diverted & Used
Permit No. 21289 Diversion	507,959	624,367	730,973	643,678	640,309	749,940	638,588	627,262	577,807	436,220	496,952	556,658	7,230,715	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	11.4	14.0	16.4	14.4	14.3	16.8	14.3	14.1	12.9	9.8	11.1	12.5	13.8	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]**

**PROGRESS REPORT BY PERMITTEE FOR 2013**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2014-02-05

Application Number: A031491  
 Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk wholesale of federally certified spring water to State licensed water bottlers

8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	939131	939131
February	921445	921445
March	1189004	1189004
April	1106399	1106399
May	822715	822715
June	871422	871422
July	918639	918639
August	750269	750269
September	4079	4079
October	3158	3158
November	6301	6301
December	6389	6389
Total	7538951	7538951
Comments		

9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	21
February	22.9
March	26.6
April	25.6
May	18.4
June	20.2
July	20.6
August	16.8
September	0.1
October	0.1
November	0.1
December	0.1

10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2013 Water Rights Reporting-M&amp;P.xls</a>		24 KB

Contact Information of the Person Submitting the Form	
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First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Permit No. 021289

2012	January	February	March	April	May	June	July	August	September	October	November	December	Total	2012
Marco & Polo Springs														
Total Diverted & Used	939,131	921,445	1,189,004	1,106,399	822,715	871,422	918,639	750,269	4,079	3,158	6,301	6,389	7,538,949	Marco & Polo Springs Total Diverted & Used
Permit No. 20784 Diversion	939,131	921,445	1,189,004	1,106,399	822,715	871,422	918,639	750,269	4,079	3,158	6,301	6,389	7,538,949	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	21.0	22.9	26.6	25.6	18.4	20.2	20.6	16.8	0.1	0.1	0.1	0.1	14.3	GPM
2013														
Marco Spring														
Marco Spring (gallons)	375,652	368,578	475,602	461,869	329,086	348,569	367,456	300,107	1,632	1,263	2,520	2,555	3,034,888	Marco Spring Total Diverted & Used
Permit No. 21289 Diversion	375,652	368,578	475,602	461,869	329,086	348,569	367,456	300,107	1,632	1,263	2,520	2,555	3,034,888	Permit No. 21289 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right
GPM	8.4	9.1	10.7	10.7	7.4	8.1	8.2	6.7	0.0	0.0	0.1	0.1	5.8	GPM
Polo Spring														
Polo Spring (gallons)	563,478	552,867	713,403	644,531	493,629	522,853	551,183	450,161	2,447	1,895	3,780	3,833	4,504,061	Polo Spring Total Diverted & Used
Permit No. 21289 Diversion	563,478	552,867	713,403	644,531	493,629	522,853	551,183	450,161	2,447	1,895	3,780	3,833	4,504,061	Permit No. 21289 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	12.6	13.7	16.0	14.9	11.1	12.1	12.3	10.1	0.1	0.0	0.1	0.1	8.6	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]****PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY  
 Primary Contact: G SCOTT FAHEY

Date Submitted: 2015-03-03

Application Number: A031491  
 Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
 MAX Collection to Storage: 0.0 AC-FT  
 Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

1. Permit Review	
I have reviewed my water right permit	Yes

2. Compliance with Permit Terms and Conditions	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

3. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

4-6. Permitted Project Status	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

7. Purpose of Use	
Industrial	Bulk Wholesale of Federally Certified Spring Water to State Certified Water Bottlers

8. Amount of Water Diverted and Used

Month	Amount directly diverted or collected to storage (Gallons)	Amount used (Gallons)
January	0	0
February	689302	689302
March	419272	419272
April	141585	141585
May	437741	437741
June	600075	600075
July	661652	661652
August	452645	452645
September	396315	396315
October	469579	469579
November	219493	219493
December	247860	247860
Total	4735519	4735519
Comments		

9. Maximum Rate of Diversion for each Month

Month	Maximum Rate of Diversion (GPM)
January	0
February	17.1
March	9.4
April	3.3
May	9.8
June	13.9
July	14.8
August	10.1
September	9.2
October	10.5
November	5.1
December	5.6

10. Storage

Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water

11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation

13. 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?	No
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14. Amount of reclaimed, desalinated, or polluted water used	
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Conjunctive Use of Groundwater and Surface Water	
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15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
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16. Amounts of groundwater used	
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Additional Remarks

Attachments		
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File Name	Description	Size
<a href="#">2014 Water Rights Reporting-M&amp;P.xls</a>	Use from each respective spring	24 KB

Contact Information of the Person Submitting the Form	
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First Name	G SCOTT
Last Name	FAHEY
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 021289**

<b>2,014</b>	January	February	March	April	May	June	July	August	September	October	November	December	<b>Total</b>	<b>2104</b>
<b>Marco &amp; Polo Springs</b>														
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
<b>Marco Spring</b>														
2014 Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Total Diverted & Used
Permit No. 21289 Diversion	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM
<b>Polo Spring</b>														
2014 Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Total Diverted & Used
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]  
PROGRESS REPORT BY PERMITTEE FOR 2014**

Primary Owner: G SCOTT FAHEY  
Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491  
Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
MAX Collection to Storage: 0.0 AC-FT  
Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

<b>1. Permit Review</b>	
I have reviewed my water right permit	Yes

<b>2. Compliance with Permit Terms and Conditions</b>	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

<b>3. Changes to the Project</b>	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

<b>4-6. Permitted Project Status</b>	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

<b>7. Purpose of Use</b>	
Industrial	Bulk Wholesale of Federally Certified Spring Water

ATTACHMENT 1

<b>8. Amount of Water Diverted and Used</b>			
<b>Month</b>	<b>Amount directly diverted (Acre-Feet)</b>	<b>Amount diverted or collected to storage (Acre-Feet)</b>	<b>Amount used (Acre-Feet)</b>
January	0	0	0
February	1.74	0	1.74
March	1.05	0	1.05
April	0.43	0	0.43
May	0.94	0	0.94
June	1.17	0	1.17
July	1.22	0	1.22
August	0.83	0	0.83
September	0.73	0	0.73
October	0.86	0	0.86
November	0.4	0	0.4
December	0.46	0	0.46
Total	9.83	0	9.83
Type of Diversion	Direct Diversion Only		
Comments			

<b>Water Transfers</b>	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

<b>Water Supply Contracts</b>	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2014	
8q. Amount (Acre-Feet) projected for 2015	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

<b>9. Maximum Rate of Diversion for each Month</b>	
<b>Month</b>	<b>Maximum Rate of Diversion (GPM)</b>
January	0
February	14.1
March	7.6

ATTACHMENT 1

April	3.3
May	6.9
June	8.8
July	8.9
August	6.1
September	5.5
October	6.3
November	3
December	3.3

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks
2014 Diverted Surface Water Reduced by the Amount of Intercepted Percolating Groundwater Diverted and Used, and Claimed as a Developed Water Right.

Attachments		
File Name	Description	Size
<a href="#">2014 Water Rights Reporting-M&amp;P.xls</a>	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	36 KB

Contact Information of the Person Submitting the Form	
First Name	G SCOTT
Last Name	FAHEY
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

Permit No. 021289

REVISED 2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104	REVISED
<b>Marco &amp; Polo Springs</b>															
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used	
Permit No. 20784 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524	Developed Right	
GPM	0.0	18.3	17.5	16.6	15.8	15.0	14.2	13.4	12.6	11.8	11.0	10.2	14.2	GPM	
<b>Marco Spring</b>															
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,501,524	Total Diverted & Used	
Marco Spring (gallons)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	-	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	0	Permit No. 20784 Diversion	
Developed Right (Percolating Grd. Wtr.)	0	302,036	189,814	66,358	212,857	303,479	348,969	249,732	229,516	286,578	141,798	170,387	2,501,524	Developed Right	
GPM	0.0	8.0	7.9	7.8	7.7	7.6	7.5	7.4	7.3	7.2	7.1	7.0	7.5	GPM	
<b>Polo Spring</b>															
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,233,994	Total Diverted & Used	
Polo Spring (gallons)	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Permit No. 21289 Diversion	0	387,266	229,458	75,227	224,884	296,595	312,683	202,913	166,799	183,002	77,695	77,473	2,233,994	Permit No. 20784 Diversion	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
GPM	0.0	10.3	9.6	8.8	8.1	7.4	6.7	6.0	5.3	4.6	3.9	3.2	6.7	GPM	

As Originally Reported

2014	January	February	March	April	May	June	July	August	September	October	November	December	Total	2104
<b>Marco &amp; Polo Springs</b>														
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
<b>Marco Spring</b>														
2014	January	February	March	April	May	June	July	August	September	October	November	December	1,894,207	Total Diverted & Used
Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion
Permit No. 21289 Diversion	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM
<b>Polo Spring</b>														
2014	January	February	March	April	May	June	July	August	September	October	November	December	2,841,311	Total Diverted & Used
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM

**[SUMMARY OF FINAL SUBMITTED VERSION]  
PROGRESS REPORT BY PERMITTEE FOR 2015**

Primary Owner: G SCOTT FAHEY  
Primary Contact: G SCOTT FAHEY

Date Submitted: 2016-04-13

Application Number: A031491  
Permit Number: 021289

Source(s) of Water	POD Parcel Number	County
UNSP		Tuolumne
UNSP		Tuolumne

MAX Direct Diversion Rate: 0.089 CFS  
MAX Collection to Storage: 0.0 AC-FT  
Face Value: 64.5 AC-FT

Permitted Use(s)	Acres	Direct Diversion Season	Storage Season
Industrial	0.0	01/01 to 12/31	

<b>1. Permit Review</b>	
I have reviewed my water right permit	Yes

<b>2. Compliance with Permit Terms and Conditions</b>	
I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

<b>3. Changes to the Project</b>	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

<b>4-6. Permitted Project Status</b>	
Project Status	Complete
6a. Construction work has commenced	
6b. Construction is completed	
6c. Beneficial uses of water has commenced	
6d. Project will be completed within the time period specified in the permit	
6e. Explanation of work remaining to be done	
6f. Estimated date of completion	

<b>7. Purpose of Use</b>	
Industrial	Bulk Wholesale of Federally Certified Spring Water

ATTACHMENT 1

<b>8. Amount of Water Diverted and Used</b>			
<b>Month</b>	<b>Amount directly diverted (Acre-Feet)</b>	<b>Amount diverted or collected to storage (Acre-Feet)</b>	<b>Amount used (Acre-Feet)</b>
January	0.34	0	0.34
February	0.31	0	0.31
March	0.27	0	0.27
April	0.2	0	0.2
May	0.14	0	0.14
June	0.07	0	0.07
July	0	0	0
August	0	0	0
September	0	0	0
October	0	0	0
November	0	0	0
December	0	0	0
Total	1.33	0	1.33
Type of Diversion	Direct Diversion Only		
Comments			

<b>Water Transfers</b>	
8e. Water transfered	No
8f. Quantity transfered (Acre-Feet)	
8g. Dates which transfer occurred	/ to /
8h. Transfer approved by	

<b>Water Supply Contracts</b>	
8i. Water supply contract	No
8j. Contract with	
8k. Other provider	
8l. Contract number	
8m. Source from which contract water was diverted	
8n. Point of diversion same as identified water right	
8o. Amount (Acre-Feet) authorized to divert under this contract	
8p. Amount (Acre-Feet) authorized to be diverted in 2015	
8q. Amount (Acre-Feet) projected for 2016	
8r. Exchange or settlement of prior rights	
8s. All monthly reported diversion claimed under the prior rights	
8t. Amount (Acre-Feet) of reported diversion solely under contract	

<b>9. Maximum Rate of Diversion for each Month</b>	
<b>Month</b>	<b>Maximum Rate of Diversion (GPM)</b>
January	9.5
February	9.5
March	8

ATTACHMENT 1

April	7.5
May	7
June	6.5
July	0
August	0
September	0
October	0
November	0
December	0

10. Storage					
Reservoir name	Spilled this year	Feet below spillway at maximum storage	Completely emptied	Feet below spillway at minimum storage	Method used to measure water level

Conservation of Water	
11. Are you now employing water conservation efforts?	No
Description of water conservation efforts	
12. Amount of water conserved	

Water Quality and Wastewater Reclamation	
13. 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?	No
14. Amount of reclaimed, desalinated, or polluted water used	

Conjunctive Use of Groundwater and Surface Water	
15. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your permit?	No
16. Amounts of groundwater used	

Additional Remarks
Percolating Groundwater Diverted Claimed as a Developed Water Right

Attachments		
File Name	Description	Size
<a href="#">2015 Water Rights Reporting-M&amp;P.xls</a>	Water Diverted & Used, Water Exchanged with MID/TID/CCSF During 2014 & 2015 Curtailment & FASS Periods, & Points of Use	58 KB

Contact Information of the Person Submitting the Form	
First Name	G. Scott
Last Name	Fahey
Relation to Water Right	Primary Owner of Record
Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief	Yes

**Permit No. 021289  
2015**

	January	February	March	April	May	June	July	August	September	October	November	December	Total	
<b>2015</b>													<b>2015</b>	
<b>Marco &amp; Polo Springs</b>														
Total Diverted & Used	424,080	383,040	357,120	324,000	312,480	280,800	245,520	245,520	216,000	46,172	39,668	41,555	2,915,956	Total Diverted & Used
GPM	12.00	12.00	10.00	9.00	8.00	7.00	5.50	5.50	5.00	1.03	0.92	0.93	5.55	GPM
Permit No. 21289 Diversion	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720	Permit No. 21289 Diversion
GPM	9.50	9.50	8.00	7.50	7.00	6.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82	GPM
Developed Right (Percolating Grd. Wtr.)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236	Developed Right (Percolating Grd. Wtr.)
GPM	2.50	2.50	2.00	1.50	1.00	0.50	5.50	5.50	5.00	1.03	0.92	0.93	4.72	GPM
<b>2015</b>													<b>2015</b>	
<b>Marco Spring</b>														
Total Marco Spring (gallons)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236	Total Diverted & Used
GPM	7.00	7.00	6.00	6.00	6.00	6.00	5.50	5.50	5.00	1.03	0.92	0.93	4.72	GPM
Permit No. 21289 Diversion	0	0	0	0	0	0	0	0	0	0	0	0	0	Permit No. 21289 Diversion
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	GPM
Developed Right (Percolating Grd. Wtr.)	312,480	282,240	267,840	259,200	267,840	259,200	245,520	245,520	216,000	46,172	39,668	41,555	2,483,236	Developed Right (Percolating Grd. Wtr.)
GPM	7.00	7.00	6.00	6.00	6.00	6.00	5.50	5.50	5.00	1.03	0.92	0.93	4.72	GPM
<b>2015</b>													<b>2015</b>	
<b>Polo Spring</b>														
Total Polo Spring (gallons)	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720	Total Diverted & Used
GPM	2.50	2.50	2.00	1.50	1.00	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82	GPM
Permit No. 21289 Diversion	111,600	100,800	89,280	64,800	44,640	21,600	0	0	0	0	0	0	432,720	Permit No. 21289 Diversion
GPM	2.50	2.50	2.00	1.50	1.00	0.50	0.00	0.00	0.00	0.00	0.00	0.00	0.82	GPM
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right (Percolating Grd. Wtr.)
GPM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	GPM

0.34251095 0.30936473 0.27400876 0.19887733 0.13700438 0.06629244

**Permit No. 021289  
Marco & Polo Springs**

<b>REVISED 2014</b>	January	February	March	April	May	June	July	August	September	October	November	December	<b>Total</b>	<b>2104</b>	<b>REVISED</b>
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used	
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM	
Permit No. 21289 Diversion	0	566,797	340,843	141,585	307,284	381,645	396,991	271,587	237,789	281,748	131,696	148,716	2,233,994	Permit No. 21289 Diversion	
GPM		14.1	7.6	3.3	6.9	8.8	8.9	6.1	5.5	6.3	3.0	3.3	4.3	GPM	
Developed Right (Percolating Grd. Wtr.)	0	122,505	78,429	0	130,456	218,430	264,661	181,058	158,526	187,832	87,797	99,144	2,501,524	Developed Right (Percolating Grd. Wtr.)	
GPM		3.0	1.8	0.0	2.9	5.1	5.9	4.1	3.7	4.2	2.0	2.2	4.8	GPM	
<b>Marco Spring</b>															
	January	February	March	April	May	June	July	August	September	October	November	December			
Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Marco Spring (gallons)	
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM	
Permit No. 21289 Diversion	0	153,216.0	89,280.0	56,633.9	44,640.0	21,600.0	0	0	0	0	0	0	365,370	Permit No. 21289 Diversion	
GPM	0.0	3.8	2.0	1.3	1.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.7	GPM	
Developed Right (Percolating Grd. Wtr.)	0	122,504.7	78,428.6	0.0	130,456.3	218,429.9	264,661	181,058	158,526	187,832	87,797	99,144	1,528,837	Developed Right (Percolating Grd. Wtr.)	
GPM	0.0	3.0	1.8	0.0	2.9	5.1	5.9	4.1	3.7	4.2	2.0	2.2	2.9	GPM	
<b>Polo Spring</b>															
	January	February	March	April	May	June	July	August	September	October	November	December			
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Polo Spring (gallons)	
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM	
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 21289 Diversion	
GPM		10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM	
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right	
GPM	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	GPM	

0.00    1.74    1.05    0.43    0.94    1.17    1.22    0.83    0.73    0.86    0.40    0.46    6.86

<b>2014</b>	January	February	March	April	May	June	July	August	September	October	November	December	<b>Total</b>	<b>2104</b>
<b>As Originally Reported</b>														
<b>Marco &amp; Polo Springs</b>														
Total Diverted & Used	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Total Diverted & Used
Permit No. 20784 Diversion	0	689,302	419,272	141,585	437,741	600,075	661,652	452,645	396,315	469,579	219,493	247,860	4,735,518	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	17.1	9.4	3.3	9.8	13.9	14.8	10.1	9.2	10.5	5.1	5.6	9.0	GPM
<b>Marco Spring</b>														
	January	February	March	April	May	June	July	August	September	October	November	December		
Marco Spring (gallons)	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Total Diverted & Used
Permit No. 21289 Diversion	0	275,721	167,709	56,634	175,096	240,030	264,661	181,058	158,526	187,832	87,797	99,144	1,894,207	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	-	Developed Right
GPM	0.0	6.8	3.8	1.3	3.9	5.6	5.9	4.1	3.7	4.2	2.0	2.2	3.6	GPM
<b>Polo Spring</b>														
	January	February	March	April	May	June	July	August	September	October	November	December		
Polo Spring (gallons)	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Total Diverted & Used
Permit No. 21289 Diversion	0	413,581	251,563	84,951	262,644	360,045	396,991	271,587	237,789	281,748	131,696	148,716	2,841,311	Permit No. 20784 Diversion
Developed Right	0	0	0	0	0	0	0	0	0	0	0	0	0	Developed Right
GPM	0.0	10.3	5.6	2.0	5.9	8.3	8.9	6.1	5.5	6.3	3.0	3.3	5.4	GPM

Tuolumne Utility District Surplus Water Wheeled to New Don Pedro Reservoir				
Year	Annual Wheeling Ac-Ft	Credit Total Wheeled Ac-Ft	Debit to MID/TID/CCSF Ac-Ft	Foreign Water Credit Balance in NDPR Ac-Ft
2009	44.275	44.275	0	44.275
2010	44.275	88.55	0	88.55
2011	0	88.55	0	88.55
2012	0	88.55	0	88.55
2013	0	88.55	0	88.55
2014	0	88.55	18.12	70.43
2015	0	88.55	12.21	58.22
To Date 2016	20.5	109.05	To Be Determined	78.72

**Water Diverted & Used  
2014 & 2015  
Curtailement & FASS Periods**

Permit No.	2014						2015						
	May	June	July	August	September	October	April	May	June	July	August	September	October
20784	639,117	681,103	718,556	644,405	648,128	694,220	871,664	675,003	674,496	726,186	752,983	129,365	18,828
21289	307,284	381,645	396,991	271,587	237,789	281,748	64,800	44,640	21,600	0	0	0	0
<b>Total Gallons</b>	<b>946,402</b>	<b>1,062,747</b>	<b>1,115,547</b>	<b>915,992</b>	<b>885,917</b>	<b>975,967</b>	<b>936,464</b>	<b>719,643</b>	<b>696,096</b>	<b>726,186</b>	<b>752,983</b>	<b>129,365</b>	<b>18,828</b>
Gallons as Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
* "Debit" to MID/TID/CCSF Total Ac-Ft	2.90	3.26	3.42	2.81	2.72	3.00	2.87	2.21	2.14	2.23	2.31	0.40	0.06
** Foreign Water "Credit" in NDPR	88.55	85.65	82.38	78.96	76.15	73.43	70.43	67.56	65.35	63.22	60.99	58.68	58.28
						18.12							12.21

\*Pursuant to Term 34, Permit No. 21289, "Replacement Water" requested by SWRCB on behalf of MID/TID/CCSF."

\*\* Pursuant to January 26, 2004 Statement to Files by Division of Water Rights Chief, Victoria Whitney, 2003 TUD Water Exchange Agreement; and Term 34, Permit No. 21289

**Permit Nos. 20784 & 21289****Points of Use**

- 1 Nestle Waters N.A., Inc.  
777 W. Putman Ave.  
Greenwich, CT  
Bottling Arrowhead Spring Water  
in Livermore, CA
- 2 Absopure  
P.O. Box 701248  
Plymouth, MI 48170  
Bottling Various Brands  
in Modesto, CA
- 3 DS Waters, Inc.  
5660 New Northside Dr.  
Atlanta, GA  
Bottling Sierra Spring Water  
in Milpitas, CA
- 4 Niagara Bottling, Inc.  
2560 E. Philadelphia St  
Ontario, CA 91761  
Bottling Various Brands  
in Stockton, CA
- 5 DAIOHS U.S.A., Inc.  
dba DAIOHS First Choice Services  
1S660 Midwest Road, Suite 120  
Oakbrook Terrace, IL 60181  
Bottling Aqus Spring Water  
in Modesto, CA
- 6 Vito Trucking LLC  
2812 Nathan Ave.  
Modesto, CA 95354  
Providing Spring Water to  
Foster Farms in Delhi, CA

## MEMORANDUM

TO: Steven Herrera, Unit Chief, Environmental Review Unit #1  
DIVISION OF WATER RIGHTS

FROM: Megan Sheely, Environmental Specialist  
DIVISION OF WATER RIGHTS

*[Handwritten signature and date: 12/18/01]*

SUBJECT: PETITION TO CHANGE 29977P971212: SUPPORTING  
DOCUMENTATION FOR THE DIVISION STAFF RECOMMENDATION THAT  
THE PROJECT IS EXEMPT, PURSUANT TO CEQA.

The petitioner seeks the right to change the location of the permitted point of diversion (Permit 20784, Water Right Application 29977) at Cottonwood Spring to a new point of diversion at Sugar Pine Spring (formerly named Annie Green Spring). Both the original point of diversion and the new proposed point of diversion are located in the Cottonwood Creek watershed, tributary to the Clavey River, thence the Tuolumne River, in Tuolumne County. The original point of diversion is located at the headwaters of Cottonwood Creek. The new point of diversion is located on a tributary to Cottonwood Creek.

The project consists of the development of Sugar Pine Spring, the installation of a water transmission line, and the installation of a 5000-gallon water storage tank. If the change is approved by the State Water Resources Control Board (SWRCB), the applicant will abandon the original point of diversion and forfeit the right to divert water at the original site. Therefore, there will be no change in the amount of water appropriated, the season of diversion, or the purpose of use. The project description also incorporates mitigation measures included in the terms and conditions of the US Forest Service (USFS) Special Use Permit and the California Department of Fish and Game (DFG) Streambed Alteration Permit. Both the USFS and the DFG have previously approved the project. Construction of the project was completed by June 2000 and no further construction is planned.

Permit 20784 authorizes the applicant to divert water from two springs in Tuolumne County: Cottonwood Spring and Deadwood Spring. The amount of water to be diverted is 0.031 cfs per spring from January 1 to December 31. The purpose of use is the commercial sale of spring water to bottled water companies. In 1996, Deadwood Spring was developed, a water transmission line was installed, and the water was put to beneficial use. In Change Petition 29977P971212 submitted on December 12 1997, the petitioner explained that the water from Cottonwood Spring was not being diverted due to the poor water quality of the spring. Subsequently, the petitioner proposed to divert water from a new source, Sugar Pine Spring, on USFS land. A buried water transmission pipeline was to be installed, originating at the spring and terminating at the existing pipeline that connects to Deadwood Spring. The petitioner also proposed to install a buried 5000 gallon water storage tank, to be used for USFS fire suppression activities.

The SWRCB accepted the change petition when the applicant agreed to the following conditions: (1) the existing site at Cottonwood Spring is abandoned (2) the amount of water diverted at the new site does not exceed the quantity that could be diverted at the existing site and (3) the priority of the right for the new point of diversion is the date of the filing for the petition of change (December 12, 1997).

The petition was noticed by the SWRCB on August 26, 1998 and one protest was received. The Central Sierra Environmental Resource Center (CSERC) alleged that the project would cause adverse effects to amphibian populations, affect the USFS assessment of the Clavey watershed, and impact the downstream habitat by diminishing flow in the unnamed tributary. In addition, CSERC expressed concerns about traffic and public safety, the water quality at Cottonwood Creek, and cumulative effects. In the protest dated, September 9, 1998, John Buckley of CSERC stated "If ... the Stanislas National Forest Service moves forward with CEQA and NEPA review of the new project and if sufficient, site-specific biological information is provided during that review, then I intend to withdraw this protest." The Division informed CSERC that site-specific biological monitoring is required as a condition of the USFS Special Use Permit Amendment, Decision Memo, M0798-13. It is the opinion of Division staff that this document addresses the environmental concerns expressed by the protestant. CSERC subsequently withdrew their protest after receiving the additional information,

In April 1998, The California Department of Fish and Game issued Streambed Alteration Agreement # 4-324-97 to include the water diversion and development of Sugar Pine Spring. The agreement includes specific provisions regarding erosion control measures and the minimal disturbance or removal of vegetation. The following bypass term is also included:

At the unnamed stream (aka Sugar Pine Spring), the Operator will at all times release spring water to the stream, at the point of diversion, a minimum of 0.5 gallons per minute (gpm). When the spring is flowing between 0.5 gpm and 2.5 gpm, the minimum release will be 50% of the flow, but never less than 0.5 gpm. At flows over 2.5 gpm, the release will be 20% of the flow or 1.0 gpm, whichever is greater.

The applicant is required to submit measurement techniques and a monitoring protocol to the DFG to ensure that the minimum bypass flows are achieved. With the incorporated mitigation measures, it is unlikely that the Sugar Pine Spring diversion will adversely affect existing fish and wildlife resources.

On July 16, 1999 the USFS prepared Special Use Permit Amendment, Decision Memo M0798-13 for the purpose of providing adequate NEPA documentation for the project. The memo determined that with mitigation requirements in place, the project would not significantly alter aquatic habitats, riparian vegetation and therefore have no impact on any federally threatened or endangered species. In addition, the USFS has conducted archeological surveys at the project site. The USFS has required that the one cultural resource found in the project area be tagged and avoided prior to any construction

activities. Division of Water Rights staff (Division staff) concurred with USFS that no impacts to any prehistoric or historic sites would occur.

The proposed pipeline path was surveyed by the USFS for sensitive plants during June and July in 1999. Two occurrences of *Clarkia biloba spp.* were found along the path of the pipeline. No other sensitive species were found. The biological evaluation concluded that although the project may impact individuals of the species *Clarkia biloba australis*, the impact is not likely to contribute to a trend toward federal listing or loss of viability to the population of the species. A discussion of the impacts to sensitive plants is included in the biological evaluation prepared by the USFS.

In addition, the USFS has determined that the project will not result in a trend toward the Federal listing of any Region 5 Sensitive Fauna. Species occurrence and habitat were evaluated for all listed species that may occur in the project area. The Sugar Pine Spring drainage does not appear to have suitable habitat for foothill yellow legged frog (*Rana boylei*). Suitable roosting habitat for the spotted owl (*Strix occidentalis*) was found. However, included in the terms and conditions of the USFS Special Use Permit (OMB# 056-0082) is a limiting operating period from March 1 to August 15. With the limited operating period for construction activities in place, the USFS determined that it is unlikely impacts to spotted owl will occur. The limiting operating period is in compliance with the Interim guidelines Environmental Assessment for the California Spotted Owl and the Forest's Land Management Plan of 1991.

Pursuant to the terms and conditions of the Special Use Permit, the USFS has required the applicant to conduct biological monitoring downstream of the spring, using the Tuolumne County of Planning Department's monitoring protocol. The protocol is included in the Tuolumne County Conditional Use permit # 91 CUP-026 issued for the original Fahey water transmission project at Cottonwood Spring and Deadwood Spring. The protocol includes measurement of changes in riparian and wetland vegetation, flow measurements, water quality parameters, and fish, reptile and amphibian counts. A copy of the Environmental Monitoring Report for the Water Diversion / Development Project on Sugar Pine Spring for the years 1999-2000, prepared by Halstead and Associates, was submitted to the Division of Water Rights. The report concluded that the first year of diversion did not significantly impact the spring or downstream habitat. Biological monitoring of the project will continue for the remainder of the 5-year study.

On June 22, 2001, Division staff and USFS conducted a site inspection of the project. USFS staff confirmed that the petitioner was in complete compliance with all terms and conditions of the USFS Special Use Permit. Division staff concurred with the USFS findings that the project as described with incorporated mitigation measures would not have a significant effect on the environment. Division staff recommends that Change Petition 29977P971212 qualify for an exemption under the Categorical Exemption Class 4, in accordance with Title 14, California Code of Regulations, Section 15304.

~~###~~ JWK  
ATTACHMENT 3  
29977

G. SCOTT FAHEY  
120 North Bryan  
Oakdale, CA 95361  
209/479-8479 (Mobile)  
209/948-0333 (Office)

May 13, 1992

JAMES W. KASSEL, P.E.  
State of California  
SWRCB, Division of Water Rights  
P. O. Box 2000  
Sacramento, CA 95810

Subject: Application #29977 to Appropriate Water

Dear Mr. Kassel,

Please find enclosed a letter from Turlock and Modesto Irrigation Districts' (TID and MID) counsel regarding the above subject, and my response exchange proposal. My contact with TID and MID is Mr. LeRoy Kennedy of TID, (209) 883-8270. Mr. Kennedy informed me last week that the Districts' counsel and staff shall meet this week, and discuss my exchange proposal.

I consider this proposal acceptable in principle, thus my request for water rights should be granted, conditional upon a logistical solution to MID's and TID's concern "that a sufficient amount of water is being transferred". It seems reasonable that a water meter in line with the ground water pump discharge could solve the "sufficient amount of transfer" problem. Then this groundwater meter could be compared with a similar meter located at the tanker fill point. I have no objection to MID and TID keeping both meters under lock and key to ensure the diversion and replenishment amounts are equal.

I shall forward any future correspondence from MID and TID to you as it arrives. I am sorry for the delay with this information and will be more timely in the future.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

  
G. SCOTT FAHEY  
Resident Engineer

jh  
enc.

G. SCOTT FAHEY  
120 North Bryan  
Oakdale, CA 95361  
209/479-8479 (Mobile)  
209/948-0333 (Office)

ATTACHMENT 3

April 7, 1992

LeRoy Kennedy  
Turlock Irrigation District  
P. O. Box 949  
Turlock, CA 95381

Subject: Diversion of Deadwood and Cottonwood Spring Waters

Dear Mr. Kennedy,

Please find attached a map showing a proposed source of ground-water available for pumping and release into Lake Don Pedro.

My proposal to TID/MID:

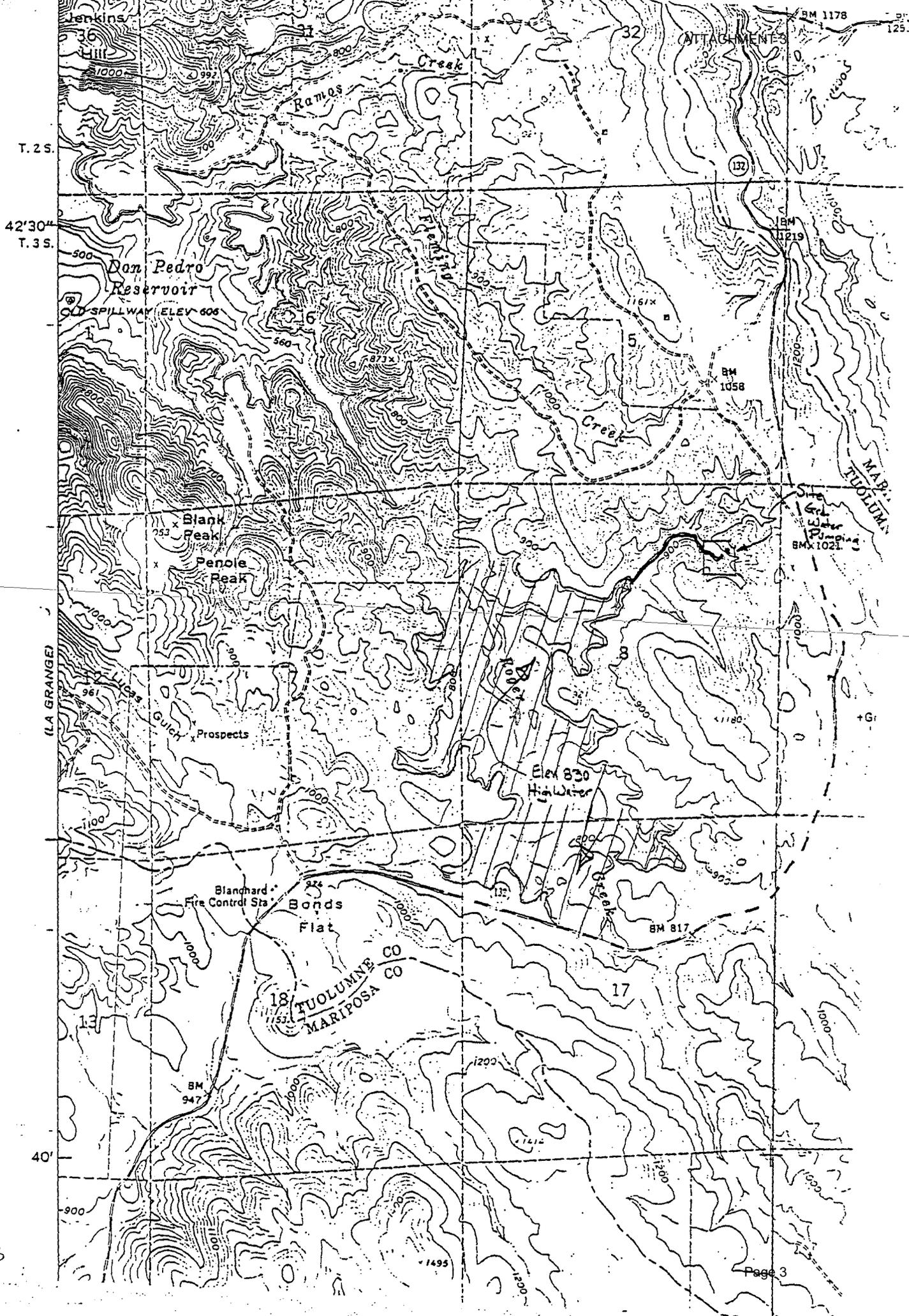
Any water Scott Fahey diverts from Cottonwood and/or Deadwood Springs, pursuant to SWRCB Appropriation of Water Rights Application #29977, between June 15 and October 31 of any year shall be replenished by pumping from a groundwater source into Lake Don Pedro, at a constant rate until a gallon for gallon exchange between diversion from and groundwater replenishment to Lake Don Pedro has been achieved.

With respect to TID/MID operations and water rights, I believe this proposal would mitigate any impact from my proposed diversion. If the District could please give a very basic response to the merit of my proposal, then I shall shortly forward the \$500 the District may require to legally implement the above proposal.

Very truly yours,

  
G. SCOTT FAHEY

jh  
attachment



GRIFFITH & MASUDA

ATTORNEYS AND COUNSELORS AT LAW

517 EAST OLIVE STREET

TURLOCK, CALIFORNIA 95380

(209) 667-5501

ROGER K. MASUDA \*

ARTHUR F. GODWIN

SARA J. LIMA

OF COUNSEL

LIN H. GRIFFITH \*

\* PROFESSIONAL LAW CORPORATION

PLEASE REPLY TO  
P. O. BOX 510  
TURLOCK, CA 95381-0510  
FAX (209) 667-8176

February 7, 1992

Mr. G. Scott Fahey  
120 North Bryan  
Oakdale, CA 95361

**RE: Application No. 29977**

Dear Mr. Fahey:

After considerable review by the Modesto and Turlock Irrigation Districts, we have determined that your proposed diversion of water would affect the water rights of the two districts. We can see no convenient way to accommodate your project without affecting our water rights and project operations. Any water transfer will require considerable supervision by the Districts to ensure that a sufficient amount of water is being transferred.

Your recent proposal involving the purchase of land near Lake Don Pedro and transferring water from Lake McClure has some merit, and we would be interested in pursuing this further with you. Before the Turlock Irrigation District evaluates any serious proposals, however, the District will require a deposit of \$500.00 to cover any necessary legal fees and staff time. I strongly suggest that you find out first if such a transfer from Lake McClure is possible.

Very truly yours,

GRIFFITH & MASUDA



Arthur F. Godwin  
Attorney for the Turlock  
Irrigation District

cc: LeRoy Kennedy  
Warren Gant, Esq.

YM  
2997

G. Scott Fahey  
2418 Pleasanton Avenue  
Boise, Idaho 83702  
(208) 334-4180, Ext. 251

11 July 1994

Yoko Mooring  
State Water Resource Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, California 95812-2000

Re: Protest of Appropriation Application  
# 29977, by City and County of San Francisco, California

Dear Ms. Mooring:

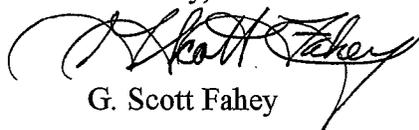
The City and Count of San Francisco and I have come to an impasse with respect to resolving the above referenced subject. Therefore, I request that the SWRCB initiate a field study to determine whether appropriation application #29977 merits approval despite the City's protest.

I have offered to provide the City with "make-up" water, during the time it claims to have senior diversion rights, with ground water introduced into Lake Don Pedro. This is the same proposal the SWRCB deemed acceptable and a resolution to the conflict between appropriation #29977 and SWRCB D-955. However, the City considers that any groundwater within the Toulumne River Basin is linked to Lake Don Pedro, and its use as "make-up" water for diverted surface water is unacceptable.

Nevertheless, I attempted a compromise. I offered to purchase any water diverted during the time the City claims to have senior diversion rights. This offer was rejected with no explanation. The City admits it sells water to others, but will not consider the same arrangement for me. I view the City's position as arbitrary and capricious, and therefore, I must file this request.

If you have any questions, please do not hesitate to contact me.

Sincerely,



G. Scott Fahey

(916) 657-1965  
FAX: 657-1485

In Reply Refer  
to:331:YM:29977

FEBRUARY 1 1995

Mr. G. Scott Fahey  
2418 Pleasanton  
Boise, ID 83702

City & County of San Francisco  
c/o Ms. Christiane Hayashi  
City Hall, Room 287  
San Francisco, CA 94102

Dear Mr. Fahey and Ms. Hayashi:

APPLICATION 29977 OF FAHEY, DEADWOOD SPRING AND COTTON WOOD SPRING IN  
TUOLUMNE COUNTY

Enclosed for your information is a copy of our report of the field  
investigation which was conducted on September 29, 1994 pursuant to  
Section 1345 of California Water Code.

If you have any questions, please call me at (916) 657-1965.

Sincerely,

ORIGINAL SIGNED BY:

Yoko Mooring  
Sanitary Engineering Technician  
Application Unit #1

Enclosure

YMOORING:ym:1/24/94:cover

*gm 1/31/95*  
*WV 1/31/95*

REPORT OF FIELD INVESTIGATION UNDER WATER CODE SECTION 1345  
APPLICATION 29977 OF FAHEY  
UNNAMED SPRING TRIB. COTTONWOOD CREEK AND  
DEADWOOD SPRING TRIB. BASIN CREEK IN THE TUOLUMNE RIVER WATERSHED  
TUOLUMNE COUNTY

**SUBSTANCE OF APPLICATION 29977:**

Application 29977 was filed on July 12, 1991 to appropriate water from two springs as follows:

**SOURCE:** (1) Unnamed Spring (aka Cottonwood Spring) tributary to Cottonwood Creek thence Clavey River thence Tuolumne River, and (2) Deadwood Spring tributary to Unnamed Stream (aka Deadwood Creek) thence Basin Creek thence North Fork Tuolumne River in Tuolumne County

**AMOUNT SOUGHT:** 20,000 gallons per day (0.031 cubic foot per second) from Cottonwood Spring and 20,000 gallons per day from Deadwood Spring; Total of 40,000 gallons per day (0.062 cubic foot per second) not to exceed 44.82 acre-feet per year

**USE:** Industrial (Bottled Water)

**SEASON OF COLLECTION:** January 1 to December 31 of each year

**PLACE OF USE:** Not specified at this point. The water will be transported off-site to a bottled water plant.

**DECLARATION OF FULLY APPROPRIATED STREAM SYSTEM:**

In Order WR 91-07, the State Water Resources Control Board (SWRCB) declared the Tuolumne River fully appropriated from July 1 to October 31 (Decision 995) and Sacramento-San Joaquin Delta fully appropriated from June 15 to August 31 (Decision 1594). Section 5.1 of Order 91-07, however, provides some exceptions for the continued processing of certain applications, such as Application 29977.

Section 5.1

"...transactions may occur which, in effect, make water available for diversion and use by specific persons from stream systems wherein water is not otherwise available for appropriation. These transactions include water service contracts and water transfers, where a natural stream channel is used for delivery, and water exchanges. Under certain circumstances the Board requires that an application be filed and permit issued. In such cases, the Declaration should not preclude acceptance of the application nor should any such pending applications be canceled. The application process will help assure protection of other lawful users of water and instream uses."

The applicant has entered into a water exchange agreement with the Turlock Irrigation District and the Modesto Irrigation District for the period from June 16 to October 31 of each year. The agreement was executed on December 12, 1992. The Chief, Division of Water Rights, subsequently approved an exception to Order WR 91-07 pursuant to Section 5.1 of the order on January 15, 1993.

**PROTESTS:**

Application 29977 was noticed on January 29, 1993 and four protests were received against approval of the application. Two protests (Banta-Carbona Irrigation District and Central Sierra Environmental Resource Center) were withdrawn before acceptance. A protest by Tuolumne Group of the Sierra Club was accepted on March 16, 1993 and subsequently dismissed unconditionally on May 12, 1994. A protest by City and County of San Francisco (City) was accepted on March 23, 1993. The City protested the application based on injury to vested rights and environmental considerations. The City claims pre-1914 rights, and has filed Statements of Water Diversion and Use 2635, 2636, 2637 and 2638. The City contends that any diversion of water flowing into New Don Pedro Reservoir from the Tuolumne Basin could adversely affect the City's ability to meet its obligation to release water from the upstream facilities (Hetch Hetch Reservoir, Lake Eleanor, and Cherry Lake) into New Don Pedro Reservoir pursuant to the Raker Act of 1913. The City also alleges that Mr. Fahey's proposed pumping of groundwater into New Don Pedro Reservoir, pursuant to the applicant's water exchange agreement with the Modesto & Turlock Irrigation Districts, would occur in an area that the irrigation districts claim to be already overdrafted, thereby causing the potential for adverse environmental impacts. Due to the unresolved protest of the City, the matter of Application 29977 was scheduled for a field investigation.

**FIELD INVESTIGATION:**

An on-site investigation of the above application was conducted on September 29, 1994, pursuant to Water Code Section 1345. Parties present during the investigation were as follows:

G. Scott Fahey .....	Applicant
City & County of San Francisco.....	Protestant
represented by Christiane Hayashi	
Yoko Mooring.....	SWRCB
William Van Dyck.....	SWRCB

All parties met at the post office in Tuolumne City. Prior to proceeding to the proposed points of diversion, the investigation convened at a nearby picnic bench at the request of Ms. Hayashi.

Division staff explained the field investigation procedures under Water Code Section 1345 and also how staff wished to proceed with the investigation. Since the applicant and the protestant had been actively communicating with each other for the last few months in order to resolve the City's protest, the substance of the application and the protest were not summarized and the discussion was soon opened, starting with the applicant's presentation.

The applicant briefly explained his proposed project and how he had resolved the other protests. He stated that the protest filed by the Banta Carbona Irrigation District (prior vested right protest) was withdrawn because their concerns were alleviated based on a water exchange agreement. He also added that all environmental documents necessary for a water right permit had been completed.

Ms. Hayashi explained about the water bank accounting system in effect between the Irrigation Districts and the City, the flow release under the Raker Act of 1913, and the City's pre-1914 rights. She also presented an example of protest dismissal permit terms from Application 22980, which the City had protested and leading to Decision 1320 rendered in 1968. She stated that the applicant's diversion may be too insignificant to be able to assess any damage; nevertheless, his diversion would be in conflict with the City's interest. Therefore, the City could not ignore any diversion occurring in the Tuolumne watershed for its future protection.

The applicant questioned how his diversion would be counted on the City's water bank system because his streams are not listed and not measured on the City's schematic chart for accounting purposes. He also requested some revisions to the proposed dismissal conditions, especially wording regarding the collection season. Ms. Hayashi agreed to get back to him after discussing the matter with the City's consultant.

We next proceeded to the proposed points of diversion in one vehicle. On the way to the springs, we observed the location where the tanker fill station is proposed on USFS Roadway 1N04. The elevation is estimated to be approximately 3,300 feet on the Twain Harte quadrangle map. Since two springs are located at the elevation of approximately 5,300 feet, snow will prohibit access during the winter months. Accordingly, the project is proposed to divert water from the springs through a conduit, approximately 15,000 feet down to the tanker fill station. This would be the location where the applicant would actually sell the water to the bottling company. Company tanker trucks would transport the water from the fill station to their bottling plant site(s).

We next observed Deadwood Creek as it flowed down the rocky mountain side and passed underneath the highway. We also stopped at two locations affording a panoramic view facing Marble Mountain. The applicant pointed out the location of the springs and the pipe route. Photos showing this panoramic view with POD marked were submitted with the original application.

After approximately 11 miles, from Tuolumne City, on Forest Road 1N04 (Cottonwood Road), unpaved Forest Road 3N07 spurs to the north. A road sign at Road 3N07 turnoff indicates 3 miles to Fahey Meadow. The Deadwood Spring (Point of Diversion #2) is located approximately three miles north on Forest Road 3N07. Water was seeping from the spring and coming down the mountain side through a culvert underneath the road, then going down the hill forming a creek channel. Since the spring site was heavily covered by vegetation, the sound of water flowing down the mountain side could be heard, but water could not be seen until it entered the culvert.

The applicant explained that there were three springs and that the drainage of all three springs merged to create Deadwood Creek. He would divert only from one spring. He had documented the flow rate since 1989 at the discharge end of the culvert. The highest recorded flow was 24 gallons per minute and the lowest was 8 gallons per minute. Staff measured the undeveloped spring flow at 13 gallons per minute (bucket and stopwatch) at the discharge end of the culvert.

The applicant indicated that he eventually wished to drill a horizontal well to the spring for health purposes. However, this would be done in conjunction with a bottling company contract. The concept of developed water was discussed as a possible means to avoid infringement on prior rights at New Don Pedro Reservoir without having to provide makeup water. Mr. Fahey was advised to keep good records of the flow rate for different periods under natural conditions in order to establish a claim to developed water through a horizontal boring(s).

We then proceeded to Cottonwood Spring (Point of Diversion #1), which required a walk of approximately 1/4 mile. When we reached a flat area appearing as a wet meadow, a natural stream channel with about one foot width was observed immediately down from the spring. The water was flowing steadily, but the flow rate was not measured at this point. Because of dense vegetation we could not reach the spring source itself, which is almost on the southeast section corner of Section 16, T2N. R17E, MDB&M.

The applicant told us that there were also three springs here but he would divert only from one spring. He also mentioned that he was required to install a culvert at the intersection of Cottonwood Creek and the private dirt road immediately downstream from Cottonwood Spring.

Upon returning to Tuolumne City, Ms. Hayashi left the investigation. The applicant and staff then proceeded to the applicant's well site south of New Don Pedro Reservoir.

The applicant has purchased seven acres of land southeast of New Don Pedro Reservoir and has drilled a well for replacement water in order to enter into a water exchange agreement with the Modesto/Turlock Irrigation Districts. The well is located in the SW1/4 of the NE1/4 of the NE1/4 of Section 8, T3S, R15E, MDB&M. The applicant plans to discharge makeup water from this well, during the period of unavailability, into an unnamed stream tributary to the Roger Creek arm of New Don Pedro Reservoir. The water level in the well was measured at 67' below the ground surface which is at an elevation of approximately 1,030'. Spillway elevation of New Don Pedro Reservoir is 800' and the reservoir was down about 100' on September 29, 1994. The applicant advised us that the well was inspected by the Irrigation District's personnel before the water exchange agreement was executed. Yield of the well is only about 6 gallons per minute or 8,640 gallons per day and thus is considered an interim source of makeup water until the applicant can contract for bringing in out of basin water. The investigation concluded at the well site.

#### SUBSEQUENT PROCEEDINGS:

In December 1994, staff was advised by both Mr. Fahey and the City that they had come to an agreement on permit conditions for resolution of the City's protest.

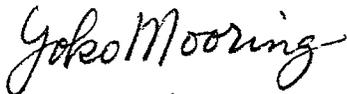
**AVAILABILITY OF UNAPPROPRIATED WATER:**

As a prerequisite to issuance of a permit to appropriate water, there must be water available to supply the applicant taking into consideration prior rights and instream needs.

Provisions, in any permit issued pursuant to Application 29977, requiring replacement water to New Don Pedro Reservoir for all water diverted from the springs during the period June 16 through October 31 will protect all prior rights at and below the reservoir during this period. Similar provisions during the period November 1 through June 15 will protect the prior rights of the Districts and the City at such times that diversion from the springs would be adverse to their rights at New Don Pedro Reservoir. Lastly, there are no prior rights of record between the springs and New Don Pedro Reservoir. Minimum instream bypass flows from the springs are required as part of the Streambed Alteration Agreement between the applicant and the Department of Fish and Game.

In view of the above, staff concludes that water is available for appropriation.

PREPARED BY:



Yoko Mooring  
Sanitary Engineering Technician

SUPERVISED BY:



Wm. Van Dyck  
Associate WRC Engineer

Attachments

## STATE WATER RESOURCES CONTROL BOARD

PAUL R. BONDERSON BUILDING  
901 P STREET  
SACRAMENTO, CALIFORNIA 95814  
(916) 653-0438  
FAX: 657-1485

Mailing Address

DIVISION OF WATER RIGHTS

P.O BOX 2000, Sacramento, CA 95812-2000



In Reply Refer  
to:331:WV:29977

OCTOBER 11 1994

Mr. G. Scott Fahey  
2418 Pleasanton Avenue  
Boise, ID 83702

Dear Mr. Fahey:

APPLICATION 29977--DEADWOOD AND COTTONWOOD SPRINGS IN  
TUOLUMNE COUNTY

I enjoyed meeting you on September 29, 1994 at the field investigation on the above referenced application and hope that further negotiations with Ms. Chris Hayashi will be fruitful.

As per your request, I am forwarding a copy of a legal counsel opinion on the need for a water right to divert developed water. If you have any questions, I can be reached at (916) 653-0438.

Sincerely,  
ORIGINAL SIGNED BY:

Wm. Van Dyck  
Associate WRC Engineer  
Application Unit #1

Enclosures

WVanDyck:pminer:10-6,7-94  
o:wv:29977