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MEMORANDUM

To: Michael Fritschi, Director of Operations
Rancho Murieta Community Services District

From: Ryan Stolfus

Date: June 30, 2023

Re: Clementia Reservoir - Water Rights Analysis

This Memorandum summarizes our analysis of the water rights associated with Clementia Reservoir (Reservoir) located within the Rancho Murieta Community Services District (RMCS D) and how to continue to maintain a water diversion and use record to optimize Clementia Reservoir as part of the municipal water system. We understand that RMCS D has used Calero and Chesbro Reservoirs as the primary municipal water supply reservoirs, however, Clementia Reservoir is authorized by Permit 16762, as described below, as part of the municipal water supply system and is intended to be a part of the municipal water supply system. The use of Clementia Reservoir as part of the municipal water supply system is required to optimize use of water under the permit and increase the total amount of water available to RMCS D to reliably serve the community.

The State Water Resources Control Board's (State Water Board) online database shows that there are two appropriative water rights associated with the Reservoir, License 13285 (Application A023419) and Permit 16762 (Application A023416) filed concurrently with each other on December 19, 1969.

The following information was reviewed in preparation of this Memorandum:

- Information obtained from the State Water Board water right files for License 13285 (Application A023419) and Permit 16762 (Application A023416).
- State Water Resources Control Board eWRIMS electronic database.
- U.S. Geological Survey (USGS) 7.5 Minute Topographic Quadrangle for Folsom SE.
- Google Earth and U.S. Department of Agriculture aerial imagery of the Reservoir and vicinity.
- Monitoring records provided by RMCS D staff.

For reference, we are enclosing a copy of water right License 13285 (**Exhibit 1**) and Permit 16762 (**Exhibit 2**).

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Appropriative Water Rights

We have reviewed the State Water Board files for water right 13285 (Application A023419) Permit 16762 (Application A023416) and found the rights to be in good standing. Recent State Water Board annual water use reports have been filed with the assistance of Wagner & Bonsignore. Following is a summary of the appropriative water rights associated with the Reservoir:

License 13285 (Application A023419)

Owner of Record: Rancho Murieta Community Services District
Priority Date: December 19, 1969
Storage Collection Season: November 1 to May 31
Water Source: Unnamed stream (natural watershed area of Clementia Reservoir)
Purpose of Use: Recreational Use
Place of Use: Clementia Reservoir
Storage Amount: 1,047 acre-feet

Status:

License 13285 authorizes the collection of up to 1,047 acre-feet of water from the upstream watershed that naturally flows into the Reservoir. The only authorized use for this water is recreational purposes at the Reservoir. Water collected pursuant to this right cannot be used as part of the municipal water supply.

Permit 16762 (Application A023416)

This summary only details Permit 16762 in relation to Clementia Reservoir. Permit 16762 also authorizes direct diversion of water and storage of water in Calero, Chesbro and Lower Lakes that is not the focus of this memorandum.

Owner of Record: Rancho Murieta Community Services District
Priority Date: December 19, 1969
Storage Collection Season: November 1 to May 31
Water Source: Cosumnes River
Purpose of Use: Municipal, Recreation, Industrial, and Irrigation
Place of Use: Service Area of Rancho Murieta Community Services District
Storage Amount: Total of 4,050 acre-feet (combined for all storage reservoirs), including 850 acre-feet in Clementia Reservoir

Status:

Permit 16762 authorizes the diversion to storage in all three reservoirs referenced above including up to 850 acre-feet of water annually from the Cosumnes River (River) into the Reservoir. The only water that can be used from the Reservoir for municipal purposes is water that originated from the River that was pumped into the Reservoir.

Analysis of Historical Pumping from The Cosumnes River to Clementia Reservoir

The table below shows the record of diversion of water from the River into the Reservoir since 2013, pursuant to Permit 16762, that is authorized to be used for municipal purposes.

Clementia Reservoir	
<u>Year</u>	<u>River Water Diverted to Reservoir</u> (acre-feet)
2013	10
2014	84
2015	150
2016	137
2017	109
2018	153
2019	132
2020	150
2021	169
2022	15
2023	130
Total	1,237

Approximately 1,237 acre-feet of River water has been diverted into the Reservoir since 2013 and is held in storage for future use in the municipal water system, however, no water has been pumped from the Reservoir to be used in the municipal water system. Please note that Reservoir capacity, including water lost to annual evaporation, is the limiting factor as to how much River water can be stored in the Reservoir. You cannot physically store more River water in the Reservoir than its capacity as any excess River water would be lost to spilling over the dam or evaporation. As stated above, Permit 16762 allows for a maximum of 850 acre-feet of water to be diverted from the River into Reservoir annually.

Water Diversions to the Reservoir Authorized by Permit 16762

Based on the RMCS D monitoring data, in most years the Reservoir does not fill from its own watershed pursuant to License 13285. River water is required to be pumped, pursuant to Permit 16762, to fill the Reservoir to full capacity.

Water has been pumped from the River into Clementia Reservoir and is held in storage. As such, a record of diversion has been made, however, a record that demonstrates the use of that River water from the Reservoir for municipal purposes is required to optimize Permit 16762. River water that is stored in the Reservoir must be put to beneficial use in the municipal water system to maintain the authorized use.

We trust the foregoing and enclosed provides you with the information you requested. Please contact me if you have any questions.

Encl. ✓



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

License for Diversion and Use of Water

Page 1 of 4
APPLICATION 23419

PERMIT 16765

LICENSE **13285**

THIS IS TO CERTIFY, That

Rancho Murieta Community Services District
P.O. Box 1050
Rancho Murieta, CA 95683

has made proof as of June 21, 1994 (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of an **Unnamed Stream** in Sacramento County

tributary to Cosumnes River thence Mokelumne River

for the purpose of **Recreational use**

under Permit 16765 of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from December 19, 1969 and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed **one thousand forty-seven (1,047) acre-feet per annum** to be collected from November 1 of each year to May 31 of the succeeding year.

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

(0000005)

After the initial filling of the reservoir, licensee's right under this license extends only to water necessary to keep the storage reservoir full by replacing water lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair.

(0000040)

Application 23419

Page 2 of 4

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

By California Coordinates, Zone 2, North 305,440 and East 2,267,230, being within NE¼ of SW¼ of Section 35, T8N, R8E, MDB&M.

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

At Clementia Reservoir within Section 35, T8N, R8E, MDB&M, as shown on map filed with State Water Resources Control Board.

Licensee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Resources Control Board, in order that water entering the reservoir which is not authorized for appropriation under this license may be released.

(0050043)

Licensee shall allow representatives of the State Water Resources Control Board, employees of the Omochumne-Hartnell Water District, and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

(9990800)

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

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

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

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

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

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

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

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

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

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

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

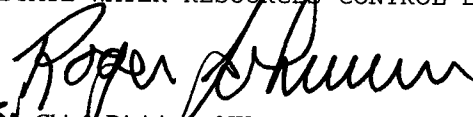
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

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

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

Dated: **MAY 20 1997**

STATE WATER RESOURCES CONTROL BOARD


101 Chief Division of Water Rights

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

PERMIT FOR DIVERSION AND USE OF WATER

AMENDED **PERMIT** 16762

Application 23416 of Bank of America, N.T.&S.A. as Corporate Custodian of
 the Pension Trust Fund for Operating Engineers
 c/o Daniel F. Gallery, Attorney, 926 J Building, Sacramento, California 95814

filed on December 19, 1969, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

I. Source: (1) Cosumnes River (2-8) Unnamed Streams (9) Unnamed Stream	Tributary to: Mokelumne River Cosumnes River Crevis Creek thence Deer Creek thence Cosumnes River
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2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
See Supplement Page 2					

County of Sacramento

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
Municipal						
Recreational						
Industrial	3,600 acres in Sections 2, 3 and 4, T7N, R8E, MDB&M; and Sections 26, 27, 28, 33, 34 and 35, T8N, R8E, MDB&M					
Irrigation	500 acres net within gross area of the 3,600 acres					

The place of use is shown on map filed with the State Water Resources Control Board.

(SUPPLEMENT)

2. Location and Point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
(1) Cosumnes River - by California Coordinates, zone 2, X = 2,267,670 and Y=303,970	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	35	8N	8E	MD
Diversion and Rediversion					
(2) Chesbro Reservoir - by California Coordinates zone 2, X=2,265,570 and Y=308,460	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	35	8N	8E	MD
Rediversion:					
(3) Laguna Joaquin Reservoir - By California Co- ordinates, zone 2, X=2,258,230 and Y=304,130	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	33	8N	8E	MD
(4) Peralta Reservoir - by California coordinates, zone 2, X=2,258,400 and Y=307,200	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	33	8N	8E	MD
(5) Clementia Reservoir - by California Coordi- nates, Zone 2, X=2,267,230 and Y=305,440	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	35	8N	8E	MD
(6) Bass Reservoir - North 1,750 feet and East 1,260 feet from SW corner of Section 35	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	35	8N	8E	MD
(7) Black Bass Reservoir - North 3,900 feet and East 3,170 feet from SW corner of Section 35	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	35	8N	8E	MD
(8) Calero Reservoir - South 1,200 feet and West 2,500 feet from NE Corner of Section 27	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	27	8N	8E	MD

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed (a) 6 cubic feet per second by direct diversion from the Cosumnes River to be diverted from November 1 of each year to May 31 of the succeeding year, and (b) 4,050 acre-feet per annum by storage to be collected from November 1 of each year to May 31 of the succeeding year as follows:

A. 3,900 acre-feet per annum from the Cosumnes River to be stored as follows:

- (1) 1,250 acre-feet per annum in Chesbro Reservoir,
- (2) 2,610 acre-feet per annum in Calero Reservoir,
- (3) 850 acre-feet per annum in Clementia Reservoir, and
- (4) 40 acre-feet per annum in Fairway No. 10 Lower Lake.

The combined amount under (2), (3) and (4) shall not exceed a total of 2,650 acre-feet.

B. 50 acre-feet per annum from an unnamed stream to be stored in Chesbro Reservoir.

C. 100 acre-feet per annum from an unnamed stream to be stored in Calero Reservoir.

The maximum rate of diversion from the Cosumnes River to offstream storage shall not exceed 46 cubic feet per second. The equivalent of the continuous flow allowance by direct diversion for any 7-day period may be diverted in a shorter time if there is no interference with vested rights. The total amount of water to be taken from the source shall not exceed 6,368 acre-feet per water year of October 1 to September 30.

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

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000005)

7. Said construction work shall be completed on or before December 1, 1980. (0000006)

8. Complete application of the water to the proposed use shall be made on or before December 1, 1990. (0000008)

9. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000009)

10. Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water. (0000010)

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (0000012)

11. Permittee shall allow representatives of the State Water Resources Control Board, employees of Omochochumne-Hartnell Water District, and other parties as may be authorized from time to time by said board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

12. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

13. No water shall be appropriated under this permit until a public district or some other organization capable, to the satisfaction of the Board, of supplying the place of use on a continuous permanent basis, has been established. (0000028)

14. Permittee shall install and maintain outlet pipes of adequate capacity in his dams as near as practicable to the bottom of the natural stream channels, or provide other means satisfactory to the State Water Resources Control Board, in order that water entering the reservoirs which is not authorized for appropriation under this permit may be released. (0050043)

15. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoirs of all structures, trees and other vegetation which would interfere with the use of the reservoirs for water storage and recreational purposes. (0120050)

16. If the storage dams will be of such size as to be within the jurisdiction of the Department of Water Resources as to safety, construction shall not be commenced until the Department has approved plans and specifications. (0360048)

17. After the initial filling of Laguna Joaquin, Peralta, Bass, and Black Bass Reservoirs, permittee's right under this permit, as it pertains to these reservoirs, extends only to water necessary to keep these reservoirs full by replacing water beneficially used and water lost by evaporation and seepage, and to refill if emptied for necessary maintenance or repair. Such right shall be exercised only during the authorized diversion season. (0000041)

18. For the protection and preservation of fish life, diversions under this permit from the Cosumnes River shall be subject to the following terms and conditions:

- A. No water shall be diverted when the flow is less than 70 cubic feet per second.
- B. Only up to 6 cubic feet per second shall be diverted when the flow is between 70 and 175 cubic feet per second (but such diversion shall not reduce the flow below 70 cubic feet per second).
- C. Only those flows in excess of 175 cubic feet per second shall be diverted at all other times, except in dry years, as follows:
 - (1) If on February 1, the total amount that could have been diverted under this permit under the foregoing schedule is less than 400 acre-feet, then permittee may, during February, divert the flows in excess of 70 cubic feet per second, up to a maximum of 46 cubic feet per second.
 - (2) If on March 1, the total amount that could have been diverted under the foregoing schedule is less than 2,000 acre-feet, then permittee may, during March, divert the flows in excess of 70 cubic feet per second up to a maximum of 46 cubic feet per second.

(3) If on April 1, the total amount that could have been diverted under the foregoing schedule is less than 4,400 acre-feet, then permittee may, during the remainder of the diversion season (April 1 to May 31), divert the flows in excess of 70 cubic feet per second up to a maximum of 46 cubic feet per second.

D. For the purpose of providing maximum continuous downstream fish migration flows as early as possible in the spring months during years when one of the schedules as set forth in paragraphs C(1), C(2), or C(3) above is commenced, the permittee shall continue such diversion schedule (set forth under C(1), C(2), or C(3) respectively) in order to complete the diversion to storage under the permit as soon as possible, and shall not revert to the diversion schedule under B and C above, except for direct diversion to supply its direct diversion requirements during the remainder of the diversion season not to exceed 6 cubic feet per second. The total seasonal diversion shall not exceed 6,368 acre-feet.

E. All measurements of flows shall be determined at the U.S. Geological survey gaging station "Cosumnes River at Michigan Bar."

(0140060)

19. The Board retains jurisdiction over this permit for the purpose of modifying the minimum fisheries flow requirements to conform to future Board determinations and fisheries flow requirements of permits issued pursuant to Applications 5645B, 5646, 5647A, 19266, and 21835.

(0000600)

20. Permittee shall, upon authorization by the U.S. Congress of the Nashville Unit of the Cosumnes River Division of the Federal Central Valley Project, report annually to the Board on the status of negotiations for a firm water supply for the place of use under this permit, to the extent such supply is not available under prior vested rights of permittee.

(0270999)

21. Permittee shall divert no water during the period November 1 to June 1 of each season except during such time as there is a continuous visible surface flow in the bed of Cosumnes River from permittee's point of diversion to the gaging station at Highway 99 known as "Cosumnes River at McConnell."

(0160999)

22. Permittee shall install and maintain measuring devices acceptable to the State Water Resources Control Board to measure accurately the quantity of water diverted from Cosumnes River.

(0060062)

23. No water shall be used under this permit until the permittee has, through grant of easement or dedication or other means satisfactory to the County of Sacramento, provided for access by the general public to Cosumnes River through the proposed place of use. Such access shall be minimum of 50 feet wide on each bank of the River, or such width as may be in conformity with the parkway plan of the County of Sacramento; provided, however, that reasonable public access along the river is maintained.

(0000999)

24. No water shall be used under this permit until the permittee has filed a report of waste discharge with the California Regional Water Quality Control Board, Central Valley Region, pursuant to Water Code Section 13260, and the Regional Board or State Water Resources Control Board has prescribed waste discharge requirements or has indicated that waste discharge requirements are not required. Thereafter, water may be diverted only during such times as all requirements prescribed by the Regional Board or State Board are being met. No discharges of waste to surface water shall be made unless waste discharge requirements are issued by a Regional Board or the State Board. A discharge to groundwater without issuance of a waste discharge requirement may be allowed if after filing the report pursuant to Section 13260:

- (1) The Regional Board issues a waiver pursuant to Section 13269, or
- (2) The Regional Board fails to act within 120 days of the filing of the report.

No report of waste discharge pursuant to Section 13260 of the Water Code shall be required for percolation to the groundwater of water resulting from the irrigation of crops.

(0290101)

25. In order to prevent degradation of the quality of water during and after construction of the project, prior to commencement of construction permittee shall file a report pursuant to Water Code Section 13260 and shall comply with any waste discharge requirements imposed by the California Regional Water Quality Control Board, Central Valley Region, or by the State Water Resources Control Board. (0000100)

26. When the flow of treated wastewater reaches 424 acre-feet per annum, permittee shall implement the use of such wastewater for irrigation purposes in lieu of water from other sources as provided in Sections 15550 and 15551 of the Water Code. Such use shall be reported on the annual progress reports filed with the Board. (0000999)

27. This permit is subject to the agreement dated March 26, 1979 between permittee and Omochumne-Hartnell Water District, to the extent such agreement covers matters within the Board's jurisdiction. (0000300)

28. Suitable metering and recording devices shall be installed, operated and maintained in good working order by Rancho Murieta at the following locations: 04

A. On the discharge line of each pumping station located within the forebay of the CIA diversion Canal headworks and which divert water to offstream storage pursuant to Permit 16762. A suitable recording device shall also be installed which will provide a continuous record on a strip or circular chart of rates and time of diversion for each pump. ↓

B. At the headworks of the CIA canal a continuous stage recorder to record diversions into the canal. Direct measurements to be made at least bimonthly to provide an accurate stage-discharge relationship. The recorder may be removed during periods of high water.

C. On any other pumping facilities which divert water from the Cosumnes River including but not limited to those facilities commonly referred to as the:

- (1) Bass Lake Pump
- (2) Old Bridge Pump
- (3) Rock Plant Pump

Totalizing meters will be deemed adequate for the foregoing and for (D) and (E).

D. A meter shall be installed in the Cosumnes Irrigation Association Canal downstream from the Laguna Joaquin Reservoir.

E. At all points where water is withdrawn from storage for beneficial use, except from Fairway No. 10 Upper Lake. Water withdrawn for transfer to another reservoir will also be measured except for transfers among Calero, Clementia and Chesbro or from those reservoirs to the Treatment Plant.

F. For purposes of the measurements described above, hour meters of KWH consumption shall not be considered adequate unless otherwise agreed to.

G. At Calero, Chesbro and Clementia Reservoirs changes in storage will be measured at least monthly, and this information, plus any additional measurements actually made regarding changes of storage, furnished to the Board upon request. (0060062)

29. Permittee shall devise a method or plan satisfactory to the State Water Resources Control Board to obtain current stream flow data at the U. S. Geological Survey gaging station at Michigan Bar. Such plan shall be submitted to the Chief of the Division of Water Rights within 60 days. (0000999)

30. Permittee shall make all reasonable effort to collect local runoff to storage to the extent local runoff is available in lieu of diverting water from the Cosumnes River. (0000999)

31. (0000029) added water cons.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

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

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

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

Dated: AUGUST 5 1980

STATE WATER RESOURCES CONTROL BOARD

Walter G. Pettit
Chief, Division of Water Rights

P 16762

9-12-86 Ogd to

1-14-88 Ogd to

Rancho Murietta Properties, Inc.

Rancho Murietta Community Service District

P. 16, 762

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

ORDER

APPLICATION 23416

PERMIT 16762

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 7 of the permit is amended to read as follows:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE December 1, 1990

2. Paragraph 8 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE December 1, 2000

3. Paragraph 31 is added to this permit as follows:

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

Dated: **SEPTEMBER 14** 1982

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights