

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

ORDER

Application 24890 Permit 17247

ORDER APPROVING CHANGE IN THE PLACE OF USE  
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 17247 was issued to Palomino Lake Mutual Water Company, Inc. on April 6, 1978, pursuant to Application 24890.
2. A petition to change the place of use by adding a single domestic connection within Assessors Parcel Number (APN) 117-11-45 was filed with the State Water Resources Control Board (SWRCB) on November 9, 1998. The SWRCB has determined that good cause for such change has been shown. Public notice of the change was issued on February 18, 2000 and no protests were received.
3. The SWRCB has determined that the petition for change in adding a place of use does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 4 of Permit 17247 regarding the place of use is amended to read as follows:

A single domestic connection within Assessor Parcel No 117-11-45 and connections for lots in the Palomino Lakes Subdivision located within the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Projected Section 21; SW $\frac{1}{4}$  of Projected Section 22; NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 27; and the E $\frac{1}{2}$  of NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Projected Section 28, all within T11N, R10W, MDB&M as shown on maps on file with the SWRCB.

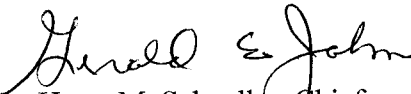
2. Permit 17247 is amended to include the following Endangered Species condition: OR, An endangered Species term shall be added to read as follows:

This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

(0000014)

Dated: 9/4/2000

STATE WATER RESOURCES CONTROL BOARD

  
for Harry M. Schueller, Chief  
Division of Water Rights

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

Application 24890 Permit 17247 License \_\_\_\_\_

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

**WHEREAS:**

1. Permit 17241 was issued to Palomino Lake Mutual Water Company, Inc. on April 6, 1978 pursuant to Application 24890.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

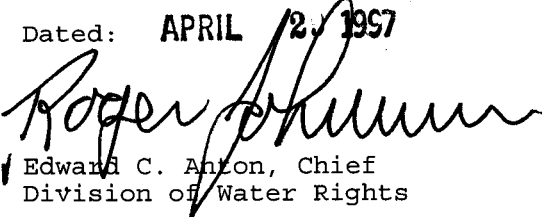
**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 7 of the permit be amended to read:

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

December 31, 2007 (0000009)

Dated: **APRIL 23 1997**

  
Edward C. Anton, Chief  
Division of Water Rights

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

**ORDER**

APPLICATION 24890 PERMIT 17247 LICENSE \_\_\_\_\_

**ORDER TO CHANGE AND CORRECT THE PLACE OF USE**

**WHEREAS:**

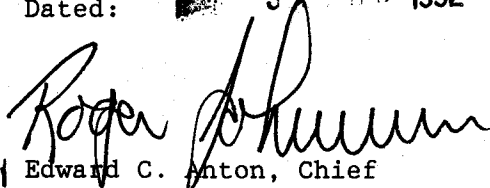
1. Permit 17247 was issued to Palomino Lakes Mutual Water Company, Inc. on April 6, 1978 pursuant to Application 24890.
2. A petition to change the place of use and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. A correction is needed to describe the place of use within Sections 21, 22, 27 and 28 T11N, R10W, MDB&M as projected sections.
4. The Board has determined that the petitioned changes does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The permittee has proceeded with diligence and good cause has been shown for the said change.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 4 of the permit regarding the place of use be changed and corrected to read as follows:

Within the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 21; SW $\frac{1}{4}$  of projected Section 22; NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 27 and E $\frac{1}{4}$  of NE $\frac{1}{4}$  and NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 28, all within T11N, R10W, MDB&M.

Dated:  JULY 22 1992

  
61 Edward C. Anton, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 24890

PERMIT 17247

LICENSE \_\_\_\_\_

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

**WHEREAS:**

1. Permit 17247 was issued to Palomino Lakes Mutual Water Company, Inc. on April 6, 1978 pursuant to Application 24890.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for extension of time.
4. Permit Condition 10 pertaining to the continuing authority of the Board should be updated to conform to Standard Permit Term 12 as contained in Section 780(a), Title 23 of the California Code of Regulations.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Condition 7 of the permit be amended to read:

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

December 31, 1993

(000009)

2. Condition 10 of the permit be amended to read:

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

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate oppage

agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

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

(0000012)

Dated:           **MARCH 06 1989**



Walter G. Pettit, Chief  
Division of Water Rights

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

**ORDER**

APPLICATION 24890

PERMIT 17247

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:

3. A new development schedule is approved as follows:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE December 1, 1987

4. Paragraph 10 of this permit is deleted. A new Paragraph 10 is added as follows:

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.

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.

5. Paragraph 17 is added to this permit as follows:

Permittee shall consult with the Division of Water Rights and the Department of Water Resources, and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the Board for approval within one year from the date of this permit (order) or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of a water conservation plan may be required by the Board within this period.

Dated: NOVEMBER 22 1983



Raymond Walsh, 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

**PERMIT 17247**

Application 24890 of Palomino Lakes Mutual Water Company, Inc.  
P. O. Box 687, Cloverdale, California 95425

filed on September 29, 1975, 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:

1. Source:	Tributary to:
<u>Russian River (underflow)</u>	<u>Pacific Ocean</u>

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridian
<u>N1950 ft and W1700 ft from SE Corner of Projected Section 28</u>	<u>NW<math>\frac{1}{4}</math> of SE<math>\frac{1}{4}</math></u>	<u>28</u>	<u>11N</u>	<u>10W</u>	<u>MD</u>

County of Sonoma

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridian	Acres
<u>Domestic</u>						
<u>Fire Protection</u>	<u>S<math>\frac{1}{2}</math> of SW<math>\frac{1}{4}</math></u>	<u>22</u>	<u>11N</u>	<u>10W</u>	<u>MD</u>	
	<u>N<math>\frac{1}{2}</math> of NW<math>\frac{1}{4}</math></u>	<u>27</u>	<u>11N</u>	<u>10W</u>	<u>MD</u>	
	<u>SE<math>\frac{1}{4}</math> of NE<math>\frac{1}{4}</math></u>	<u>28</u>	<u>11N</u>	<u>10W</u>	<u>MD</u>	

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

5. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED AND SHALL NOT EXCEED 0.432 CUBIC FOOT PER SECOND TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER THIS PERMIT SHALL NOT EXCEED 182 ACRE-FEET PER YEAR. (000005)

6. THE AMOUNT AUTHORIZED FOR APPROPRIATION MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS. (000006)

7. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1982. (000009)

8. PROGRESS REPORTS SHALL BE SUBMITTED PROMPTLY BY PERMITTEE WHEN REQUESTED BY THE STATE WATER RESOURCES CONTROL BOARD UNTIL LICENSE IS ISSUED. (000010)

9. PERMITTEE 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 PERMIT. (000011)

10. PURSUANT TO CALIFORNIA WATER CODE SECTION 100, 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.

THIS 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) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) 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. (000012)

11. 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. (000013)

12. TO THE EXTENT THAT WATER AVAILABLE FOR USE UNDER THIS PERMIT IS RETURN FLOW, IMPORTED WATER, OR WASTEWATER, THIS PERMIT SHALL NOT BE CONSTRUED AS GIVING ANY ASSURANCE THAT SUCH SUPPLY WILL CONTINUE. (0000025)

13. THE EQUIVALENT OF THIS CONTINUOUS FLOW ALLOWANCE FOR ANY 7-DAY PERIOD MAY BE DIVERTED IN A SHORTER TIME, PROVIDED THERE BE NO INTERFERENCE WITH OTHER VESTED RIGHTS AND INSTREAM BENEFICIAL USES; AND PROVIDED FURTHER THAT ALL TERMS OR CONDITIONS PROTECTING INSTREAM BENEFICIAL USES BE OBSERVED. (0000027)

14. FOR THE PROTECTION AND PRESERVATION OF FISHLIFE AND THE MAINTENANCE OF WATER-RELATED RECREATIONAL USES, PERMITTEE SHALL DIVERT ONLY WHEN THE FLOW IN THE RUSSIAN RIVER EXCEEDS 150 CUBIC FEET PER SECOND AND ONLY AT A RATE NOT EXCEEDING SAID EXCESS, CEASING ALL DIVERSION WHEN THE FLOW IN THE RIVER IS 150 CUBIC FEET PER SECOND OR LESS. RIVER FLOWS SHALL BE MEASURED AT THE NEAREST U. S. GEOLOGICAL SURVEY GAGING STATION ON THE RIVER. (0140068)

15. AVAILABILITY OF WATER FOR APPROPRIATION UNDER THIS PERMIT DURING THE CRITICAL PERIOD OF JULY 1 THROUGH OCTOBER 31 IS DEPENDENT UPON WATER REMAINING AVAILABLE UNDER THE 10,000 ACRE-FOOT PER ANNUM ALLOCATION OF WATER FROM COYOTE VALLEY RESERVOIR (LAKE MENDOCINO) FOR USE IN THE RUSSIAN RIVER VALLEY IN SONOMA COUNTY. IF SUBSEQUENT STUDIES SHOW THAT THE ABOVE-MENTIONED ALLOCATION HAS BEEN FULLY USED BEFORE USE IS COMPLETED UNDER THIS PERMIT, A LICENSE SHALL BE ISSUED ONLY FOR THE AMOUNT OF WATER, IF ANY, WHICH HAS BEEN PUT TO USE UNDER THIS PERMIT AND WHICH IS INCLUDED IN THE ALLOCATION. (0000081)

16. 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, NORTH COASTAL 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 GROUND WATER 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 GROUND WATER OF WATER RESULTING FROM THE IRRIGATION OF CROPS. (0290101)

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: APRIL 6 1978

STATE WATER RESOURCES CONTROL BOARD  
*C. J. Wilkey*  
EXECUTIVE DIRECTOR  
Chief, Division of Water Rights