**Docket No: 26**

***OLEMA CREEK LICENSE#:003800 AND APPL#:A013322***

**State Water Rights Documentation**

03-28-2017: Report of LIcensee for 2016



**[SUMMARY OF FINAL SUBMITTED VERSION]**

## REPORT OF LICENSEE FOR 2016

Primary Owner: US National Park Service - Point Reyes National Seashore
Primary Contact: ERIC LORD

Date Submitted: 03/28/2017

Application Number: A013322
Permit Number: 007889

| Source(s) of Water | POD Parcel Number | County |
|---|---|---|
| OLEMA CREEK | | Marin |

MAX Direct Diversion Rate: 13000 GPD
MAX Collection to Storage: 0 AC-FT
Face Value: 14.6 AC-FT

| Permitted Use(s) | Acres | Direct Diversion Season | Storage Season |
|---|---|---|---|
| Stockwatering | 0 | 01/01 to 12/31 | |
| Domestic | 0 | 01/01 to 12/31<br>01/01 to 12/31 | |
| Fish and Wildlife Protection and/or Enhancement | 0 | 01/01 to 12/31 | |

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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. Purpose of Use | |
|---|---|
| Domestic | 1 household/200 sq ft lawn/garden |
| Stockwatering | 40-95 beef cattle/10 horses |
| Fish and Wildlife Protection and/or Enhancement | Please see section 5 comment. |

| Special Use Categories | |
|---|---|
| C1. Are you using any water diverted under this right for the cultivation of cannabis? | No |

| 5. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion ()** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 6. Amount of Water Diverted and Used | | | |
|---|---|---|---|
| **Month** | **Amount directly diverted (Acre-Feet)** | **Amount diverted or collected to storage (Acre-Feet)** | **Amount used (Acre-Feet)** |
| January | 0 | 0.0730 | 1.2160 |
| February | 0 | 0.0730 | 1.2160 |
| March | 0 | 0.0730 | 1.2160 |
| April | 0 | 0.0730 | 1.2160 |
| May | 0 | 0.0730 | 1.2160 |
| June | 0 | 0.0730 | 1.2160 |
| July | 0 | 0.0730 | 1.2160 |
| August | 0 | 0.0730 | 1.2160 |
| September | 0 | 0.0730 | 1.2160 |
| October | 0 | 0.0730 | 1.2160 |
| November | 0 | 0.0730 | 1.2160 |
| December | 0 | 0.0730 | 1.2160 |
| Total | 0 | 0.8760 | 14.5920 |
| Type of Diversion | Diversion to Storage Only | | |
| Comments | Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. | | |

| Water Transfers | |
|---|---|
| 6d. Water transfered | No |
| 6e. Quantity transfered (Acre-Feet) | |
| 6f. Dates which transfer occurred | / to / |
| 6g. Transfer approved by | |

| Water Supply Contracts | |
|---|---|

| | |
|---|---|
| 6h. Water supply contract | No |
| 6i. Contract with | |
| 6j. Other provider | |
| 6k. Contract number | |
| 6l. Source from which contract water was diverted | |
| 6m. Point of diversion same as identified water right | |
| 6n. Amount (Acre-Feet) authorized to divert under this contract | |
| 6o. Amount (Acre-Feet) authorized to be diverted in 2016 | |
| 6p. Amount (Acre-Feet) projected for 2017 | |
| 6q. Exchange or settlement of prior rights | |
| 6r. All monthly reported diversion claimed under the prior rights | |
| 6s. Amount (Acre-Feet) of reported diversion solely under contract | |

| 7. Water Diversion Measurement | |
|---|---|
| a. Required to measure as of the date this report is submitted | No |
| b. Is diversion measured? | No |
| c. An alternative compliance plan was submitted to the division of water rights on | |
| d. A request for additional time was submitted to the division of water rights on | |

| 8. 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 | |
|---|---|
| 9. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 10. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 11. 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 |
| 12. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 13. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 14. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water. |

| Attachments |
|---|

| File Name | Description | Size |
|---|---|---|
| No Attachments | | |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| 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 |

**[SUMMARY OF FINAL SUBMITTED VERSION]**

## REPORT OF LICENSEE FOR 2015

Primary Owner: US National Park Service - Point Reyes National Seashore
Primary Contact: ERIC LORD

Date Submitted: 07/19/2016

Application Number: A013322
Permit Number: 007889

| Source(s) of Water | POD Parcel Number | County |
|---|---|---|
| OLEMA CREEK | | Marin |

MAX Direct Diversion Rate: 13000 GPD
MAX Collection to Storage: 0 AC-FT
Face Value: 14.6 AC-FT

| Permitted Use(s) | Acres | Direct Diversion Season | Storage Season |
|---|---|---|---|
| Stockwatering | 0 | 01/01 to 12/31 | |
| Fish and Wildlife Protection and/or Enhancement | 0 | 01/01 to 12/31 | |
| Domestic | 0 | 01/01 to 12/31<br>01/01 to 12/31 | |

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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. Purpose of Use | |
|---|---|
| Domestic | 1 household/200 sq ft lawn/garden |
| Stockwatering | 40-95 beef cattle/10 horses |
| Fish and Wildlife Protection and/or Enhancement | Please see section 5 comment. |

| 5. Amount of Water Diverted and Used | | | |
|---|---|---|---|
| Month | | | |

| | Amount directly diverted (Acre-Feet) | Amount diverted or collected to storage (Acre-Feet) | Amount used (Acre-Feet) |
|---|---|---|---|
| January | 0 | 0.0730 | 1.2160 |
| February | 0 | 0.0730 | 1.2160 |
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| April | 0 | 0.0730 | 1.2160 |
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| June | 0 | 0.0730 | 1.2160 |
| July | 0 | 0.0730 | 1.2160 |
| August | 0 | 0.0730 | 1.2160 |
| September | 0 | 0.0730 | 1.2160 |
| October | 0 | 0.0730 | 1.2160 |
| November | 0 | 0.0730 | 1.2160 |
| December | 0 | 0.0730 | 1.2160 |
| Total | 0 | 0.8760 | 14.5920 |
| Type of Diversion | Diversion to Storage Only | | |
| Comments | Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. | | |

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

| Water Supply Contracts | |
|---|---|
| 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 | |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| Month | Maximum Rate of Diversion () |
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| February | |
| | |

| | |
|---|---|
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water. |

| Attachments | | |
|---|---|---|
| File Name | Description | Size |
| No Attachments | | |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Roxanne |
| Last Name | Foss |
| Relation to Water Right | Primary Owner of Record |
| | Yes |

| | |
|---|---|
| Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief | |

Updated February 9, 2016

Water Boards

# Fact Sheet

## EMERGENCY REGULATION FOR MEASURING AND REPORTING ON THE DIVERSION OF WATER

Governor Edmund G. Brown Jr. signed Senate Bill (SB) 88 on June 24, 2015. Sections 15 through 18 of SB 88 add measurement and reporting requirements for a substantial number of diverters. The State Water Resources Control Board (State Water Board) adopted a regulation to implement the new law at its January 19, 2016 Board Meeting. The regulation will go into effect upon approval by the Office of Administrative Law, which is anticipated to occur in February 2016.

The measurement requirements of the regulation apply to all water right holders who divert 10 acre-feet of water or more per year. The annual reporting requirements in the regulation apply to all statement holders as well as persons authorized to appropriate water under a permit, license, registration (small domestic, small irrigation, or livestock stockpond), or certificate for livestock stockpond use.

Information on the regulation, SB 88, and related documents are available at:

**http://www.waterboards.ca.gov/waterrights/water_issues/programs/measurement_regulation/**

If you have any questions or concerns, please contact the Division of Water Rights (Division) at:

Email Address: dwr-measurement@waterboards.ca.gov
Phone Number: (916) 341-5300

### Key Provisions of Regulation

Annual Water Use Reporting Requirements for Water Right Holders

All water right holders shall report on their diversion and use of water annually, beginning with reports for the 2016 diversion season. Annual water use reports for permits, licenses, registrations and stock pond certificates must be filed by April 1 of each year starting April 1, 2017 for diversions made in 2016. The annual use reports for statements shall be filed prior to July 1 of each year. All reports will continue to document diversions during the prior calendar year. The filing dates are for the annual water use reports are summarized below:

| DIVERSION/STORAGE PERIOD | WATER USE REPORT DEADLINES | | | | |
|---|---|---|---|---|---|
| | PERMITS | LICENSES | STATEMENTS | REGISTRATIONS | CERTIFICATES |
| 2015 | JULY 1, 2016 | JULY 1, 2016 | JULY 1, 2016 | VARIES | NOT REQUIRED |
| 2016 | APRIL 1, 2017 | APRIL 1, 2017 | JULY 1, 2017 | APRIL 1, 2017 | APRIL 1, 2017 |

Reporting Requirements for Water Right Holders During Times of Insufficient Supply

When the amount of water available in a surface water source is not sufficient to support the needs of existing water right holders and in-stream uses, the State Water Board may require monthly or more frequent reporting in the affected areas to provide the most accurate assessment of water demand. The State Water Board will notify diverters in affected areas when additional reporting is required.

Deadline for Complying with Measurement and Reporting Requirements

The regulation provides for a phased approach to compliance. The compliance deadlines, by volume of water diverted, are shown in the table below.

Required Accuracy for Measurement and Frequency for Monitoring

SB 88 set expectations for both the accuracy of measurement devices as well as the monitoring frequency of the device. The regulation links both device accuracy and monitoring frequency to the volume categories in the table above. Larger diversions and larger reservoirs or ponds have more stringent measurement and monitoring requirements and more stringent requirements for the installation and certification of measurement devices as described in the table below.

| Type of Diversion | Installation Deadline | Required Accuracy | Required Monitoring | Qualifications For Installation And Certification |
|---|---|---|---|---|
| Direct Diversion ≥ 1,000 afa Storage ≥ 1000 af | January 1, 2017 | 10% | Hourly | Engineer/Contractor/Professional |
| Direct Diversion ≥ 100 afa/ Storage ≥ 200 af | July 1, 2017 | 10% | Daily | Engineer/Contractor/Professional |
| Direct Diversion > 10 afa/ Storage ≥ 50 af | January 1, 2018 | 15% | Weekly | Individual experienced with measurement and monitoring |
| Storage > 10 af | January 1, 2018 | 15% | Monthly | Individual experienced with measurement and monitoring |

Measurement Methods

Diverters may propose a measurement method, in lieu of a measuring device, to comply with measurement and accuracy requirements under the regulation. Examples of measurement methods include:

- Multiple water right holders on a single surface supply can propose a collaborative measurement approach.
- A single water right holder with multiple points of diversion can propose a measurement method that may preclude the need to install a measurement device at each point of diversion.

Alternative Compliance

A water right holder may request an alternative compliance approach when strict compliance is not feasible, would be unreasonable expensive, would unreasonable affect public trust resources, or would result in the waste or unreasonable use of water.

The Division is preparing the forms to request alternative measurement or alternative compliance. All requests must be submitted on the Division's forms. Please note; persons subject to the regulation are not allowed to claim "not locally cost effective".

Certification of Water Measurement Device

The regulation requires that the accuracy of the water measurement device be certified every five years, in accordance with the table above. The regulation calls for an initial certification with the first water use report filed after the device has been installed.

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

## NOTICE TO WATER RIGHT LICENSEE

February 19, 2016

**Designated Contact or Agent:**
ERIC LORD
1201 OAK RIDGE DRIVE STE 250
FORT COLLINS, CO 80525

**Primary Owner:** US NATIONAL PARK SERVICE - POINT REYES NATIONAL SEASHORE

**Application ID:** A013322 **License No.** 003800

| First three Sources listed: | Counties: |
|---|---|
| OLEMA CREEK | Marin |
| | |
| | |

**Direct Diversion Rate:** 13000.000 Gallons per Day **Collection to Storage Amount:** 0.000 AC-FT
14.57 afy

### LICENSEE REPORTING FOR 2015

As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A013322**
Password (Reporting Identifier): **097124**

### ***IMPORTANT: PLEASE NOTE BELOW***

Effective immediately the Division of Water Rights will **NO LONGER** notify you via mail in the future when reporting is due. If you would like to be notified when reporting is due and other reporting related material, please subscribe to our Lyris list (Water Rights Reporting Notification) at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml.

You are required to complete the online report for 2015 no later than **June 30, 2016.** If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

If you have multiple water rights, please be aware you must report water use separately for each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (California Department of Fish and Wildlife agreements, other agency approvals, etc.), graphs, and spreadsheets.

**REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP**

You are required to notify the Division directly of any water right ownership change. Your county assessor's office or title company does not notify the Division of ownership changes. Failure to notify the Division of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the Division should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/publications_forms/forms/index.shtml.

**CHANGES FOR REPORTING AND MEASUREMENT OF DIVERSIONS MADE IN 2016, AND THEREAFTER**

- See attached "Fact Sheet" for updates.

**CONTACT INFORMATION**

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,

Amanda Montgomery

Amanda Montgomery, Manager
Permitting and Licensing Section
Division of Water Rights

REPORT OF LICENSEE

## [SUMMARY OF FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2014

Primary Owner: US National Park Service - Point Reyes National Seashore
Primary Contact: Eric Lord

Date Submitted: 2015-07-21

Application Number: A013322
License Number: 003800

| Source(s) of Water | POD Parcel Number | County |
|---|---|---|
| OLEMA CREEK | | Marin |

MAX Direct Diversion Rate: 13000.0 GPD
MAX Collection to Storage: 0.0 AC-FT
Face Value: 14.6 AC-FT

| Licensed Use(s) | Acres | Direct Diversion Season | Storage Season |
|---|---|---|---|
| Domestic | 0.0 | 01/01 to 12/31<br>01/01 to 12/31 | |
| Fish and Wildlife Protection and/or Enhancement | 0.0 | 01/01 to 12/31 | |
| Stockwatering | 0.0 | 01/01 to 12/31 | |

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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. Purpose of Use | |
|---|---|
| Domestic | 1 household/200 sq ft lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | please see remarks |
| Stockwatering | 40-95 beef cattle/10 horses |

| 5. Amount of Water Diverted and Used | | | |
|---|---|---|---|
| **Month** | **Amount directly diverted (Gallons)** | **Amount diverted or collected to storage (Gallons)** | **Amount used (Gallons)** |
| January | 0 | 2400 | 2400 |

REPORT OF LICENSEE

| | | | |
|---|---|---|---|
| February | 0 | 2400 | 2400 |
| March | 0 | 2400 | 2400 |
| April | 0 | 2400 | 2400 |
| May | 0 | 2400 | 2400 |
| June | 0 | 2400 | 2400 |
| July | 0 | 2400 | 2400 |
| August | 0 | 2400 | 2400 |
| September | 0 | 2400 | 2400 |
| October | 0 | 2400 | 2400 |
| November | 0 | 2400 | 2400 |
| December | 0 | 2400 | 2400 |
| Total | 0 | 28800 | 28800 |
| Comments | Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat | | |

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

| Water Supply Contracts | |
|---|---|
| 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 | |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion ()** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |

REPORT OF LICENSEE

| | |
|---|---|
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
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| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
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| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. Declaration: The United States holds both state law-based water rights and federal reserved rights, and may meet its water needs by using either or both types of right. The United States provides this information to the State in the interest of comity and with respect to the State desire to understand water uses in the State; however, by providing this information, the United States does not concede that the State has the power to regulate the rights of the United States to the use of water. |

| Attachments | | |
|---|---|---|
| File Name | Description | Size |
| No Attachments | | |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Other: NPS (Primary Owner of Record) Employee |
| Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief | Yes |

POR

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

## NOTICE TO WATER RIGHT LICENSEE

January 30, 2015

**Designated Contact or Agent:**
Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

**Primary Owner:** Us National Park Service - Point Reyes National Seashore

**Application ID:** A013322 **License No.** 003800

| First three Sources listed: | Counties: |
|---|---|
| OLEMA CREEK | Marin |
| | |
| | |

**Direct Diversion Rate:** 13000.000 Gallons per Day **Collection to Storage Amount:** 0.000 AC-FT

### LICENSEE REPORTING FOR 2014

As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A013322**
Password (Reporting Identifier): **097124**

You are required to complete the online report for 2014 no later than **June 30, 2015.** If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

If you have multiple water rights, please be aware you must report water use separately for each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (California Department of Fish and Wildlife agreements, other agency approvals, etc.), graphs, and spreadsheets.

**SPECIAL REPORTING FEATURES:**

- It is possible to create one account on the RMS site to report all of your water rights. It is not necessary to create an account if you would like to report your water rights individually. Please see the RMS login page for more information and instructions.
- RMS includes the capability to amend current and past reports. Amendments to credits previously claimed pursuant to Water Code sections 1010, 1011, and 1011.5 are subject to review and may not be accepted.
- Licensees can list all of their reservoirs associated with this license in their report.
- RMS includes new on screen help tools and instructions.

**REQUIRED NOTIFICATION OF CHANGE IN OWNERSHIP**

You are required to notify the Division directly of any water right ownership change. Your county assessor's office or title company does not notify the Division of ownership changes. Failure to notify the Division of an ownership change prior to assessment of annual water right fees will result in your liability to pay the annual water right fee even if you transferred the property associated with the water right. Notification to the Division should be made using the Change of Name/Address or Ownership form by clicking on the Water Rights Forms link located at www.waterboards.ca.gov/waterrights/board_info.

**CONTACT INFORMATION**

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,

Amanda Montgomery

Amanda Montgomery, Manager
Permitting and Licensing Section
Division of Water Rights

**[DRAFT VERSION]**

# REPORT OF LICENSEE FOR 2013

Primary Owner: US National Park Service - Point Reyes National Seashore
Primary Contact: Eric Lord

Application Number: A013322
License Number: 003800

| Source(s) of Water | POD Parcel Number | County |
|---|---|---|
| OLEMA CREEK | | Marin |

MAX Direct Diversion Rate: 13000.0 GPD
MAX Collection to Storage: 0.0 AC-FT
Face Value: 14.6 AC-FT

| Licensed Use(s) | Acres | Direct Diversion Season | Storage Season |
|---|---|---|---|
| Domestic | 0.0 | 01/01 to 12/31<br>01/01 to 12/31 | |
| Fish and Wildlife Protection and/or Enhancement | 0.0 | 01/01 to 12/31 | |
| Stockwatering | 0.0 | 01/01 to 12/31 | |

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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. Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 square feet lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks |
| Stockwatering | 40 cattle; 10 horses |

| 5. Amount of Water Diverted and Used | | |
|---|---|---|
| **Month** | **Amount directly diverted or collected to storage (Gallons)** | **Amount used (Gallons)** |
| | | |

| | | |
|---|---|---|
| January | 2400 | 2400 |
| February | 2400 | 2400 |
| March | 2400 | 2400 |
| April | 2400 | 2400 |
| May | 2400 | 2400 |
| June | 2400 | 2400 |
| July | 2400 | 2400 |
| August | 2400 | 2400 |
| September | 2400 | 2400 |
| October | 2400 | 2400 |
| November | 2400 | 2400 |
| December | 2400 | 2400 |
| Total | 28800 | 28800 |
| Comments | Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. | |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion ()** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. |

| Attachments | | |
|---|---|---|
| **File Name** | **Description** | **Size** |
| No Attachments | | |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | |
| Last Name | |
| Relation to Water Right | Primary Owner of Record |

**[DRAFT VERSION]**

# REPORT OF LICENSEE FOR 2012

Primary Owner: US National Park Service - Point Reyes National Seashore
Primary Contact: Eric Lord

Application Number: A013322
License Number: 003800

| Source(s) of Water | POD Parcel Number | County |
|---|---|---|
| OLEMA CREEK | | Marin |

MAX Direct Diversion Rate: 13000.0 GPD
MAX Collection to Storage: 0.0 AC-FT
Face Value: 14.6 AC-FT

| Licensed Use(s) | Acres | Direct Diversion Season | Storage Season |
|---|---|---|---|
| Domestic | 0.0 | 01/01 to 12/31<br>01/01 to 12/31 | |
| Fish and Wildlife Protection and/or Enhancement | 0.0 | 01/01 to 12/31 | |
| Stockwatering | 0.0 | 01/01 to 12/31 | |

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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 | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |
| Other changes | |
| Description of other changes | |

| 4. Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 square feet lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| 5. Amount of Water Diverted and Used | | |
|---|---|---|
| **Month** | **Amount directly diverted or collected to storage (Gallons)** | **Amount used (Gallons)** |
| | | |

| | | |
|---|---|---|
| January | 24000 | 24000 |
| February | 24000 | 24000 |
| March | 24000 | 24000 |
| April | 24000 | 24000 |
| May | 24000 | 24000 |
| June | 24000 | 24000 |
| July | 24000 | 24000 |
| August | 24000 | 24000 |
| September | 24000 | 24000 |
| October | 24000 | 24000 |
| November | 24000 | 24000 |
| December | 24000 | 24000 |
| Total | 288000 | 288000 |
| Comments | | |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion ()** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. Declaration: The United States gives this information to the State in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water. |

| Attachments | | |
|---|---|---|
| File Name | Description | Size |
| No Attachments | | |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Other |
| Has read the form and agrees the information in the report is true to the best of his/her knowledge and belief | Yes |

PORE
- 26

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

## NOTICE TO WATER RIGHT LICENSEE

January 30, 2014

**Designated Contact or Agent:**
Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525

**Contact Phone Number:** (- ) -2781

**Primary Owner:** US National Park Service - Point Reyes National Seashore

**Application ID:** A013322 **License No.** 003800

| First three Sources listed: | Counties: |
|---|---|
| OLEMA CREEK | Marin |
| | |
| | |

**Direct Diversion Rate:** 13000.000 Gallons per Day **Collection to Storage Amount:** 0.000 AC-FT

### LICENSEE REPORTING FOR 2013

As indicated in the California Code of Regulations title 23, section 847, the State Water Resources Control Board (State Water Board) requires annual reporting of water diversion and use under licenses. The State Water Board has historically required these reports to be filed once every three years in paper form. California Water Code chapter 2.7 section 348 authorizes the State Water Board to require online reporting of water diversions. Consistent with these requirements, the State Water Board, Division of Water Rights (Division) developed a new online Report Management System (RMS) as a component of the enhanced Water Right Information Management System (eWRIMS). RMS allows electronic submittal of water diversion and use reports, saving both paper and resources. **All reports must be completed online through RMS; paper copies are not available.** To report online, go to **www.waterboards.ca.gov/rms** and login with your User ID and Password. The information required to login and access your online Report of Licensee is:

User ID (Water Right ID): **A013322**
Password (Reporting Identifier): **097124**

You are required to complete the online report for 2013 no later than **June 30, 2014.** If you do not have a computer or internet access, you should use a friend's computer, a computer in a public library, or a Division computer to fill out the form. Unfortunately, Division staff cannot fill the form out on your behalf. However, if you wish to seek assistance with the form, you may contact the Division to request a listing of attorneys and consulting firms with water rights experience. You can also review the listing on the Division's Business Information Contacts webpage at: http://www.waterboards.ca.gov/waterrights/board_info/contacts.shtml.

If you have multiple water rights, please be aware you must report water use separately for each right. Do not list total combined diversions under multiple rights on the form. To document compliance with the conditions of your water right(s), you may use RMS to submit photos (such as staff gages, measuring devices, etc.), documents (California Department of Fish and Wildlife agreements, other agency approvals, etc.), graphs, and spreadsheets.

**SPECIAL REPORTING FEATURES:**

- It is possible to create one account on the RMS site to report all of your water rights. It is not necessary to create an account if you would like to report your water rights individually. Please see the RMS login page for more information and instructions.
- RMS includes the capability to amend current and past reports. Amendments to credits previously claimed pursuant to Water Code sections 1010, 1011, and 1011.5 are subject to review and may not be accepted.
- Licensees can list all of their reservoirs associated with this license in their report.
- RMS includes new on screen help tools and instructions.

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**CONTACT INFORMATION**

Frequently asked questions pertaining to filling out online reports are posted at the RMS website and we encourage you to read these first. However, if you still have any questions or need assistance completing the report, please contact the Division of Water Rights at (916) 323-9393 or send an email to: ewrims@waterboards.ca.gov.

Sincerely,

Amanda Montgomery

Amanda Montgomery, Manager
Permitting and Licensing Section
Division of Water Rights

## [FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2011

Primary Owner: US National Park Service - Point Reyes National Seashore
Application Number: A013322
License Number: 003800
Date Submitted: 2012-06-14

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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 | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |
| Other changes | |
| Description of other changes | |

| 4. Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 sq ft lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| 5. Amount of Water Diverted and Used | | |
|---|---|---|
| **Month** | **Amount directly diverted or collected to storage (Gallons)** | **Amount used (Gallons)** |
| January | 24000.0 | 24000.0 |
| February | 24000.0 | 24000.0 |
| March | 24000.0 | 24000.0 |
| April | 24000.0 | 24000.0 |
| May | 24000.0 | 24000.0 |
| June | 24000.0 | 24000.0 |
| July | 24000.0 | 24000.0 |
| August | 24000.0 | 24000.0 |
| September | 24000.0 | 24000.0 |
| October | 24000.0 | 24000.0 |
| November | 24000.0 | 24000.0 |
| December | 24000.0 | 24000.0 |

| | | |
|---|---|---|
| Total | 288000 | 288000 |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion ()** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. The remaining amount was changed in 2011 pursuant to Section 1707 in support of fishery and riparian habitat. Declaration: The United States gives this information to the State in the interest of comity, and does not concede that the State has the power to regulate the rights of the United States to the use of water. |

| Attachments | | |
|---|---|---|
| **File Name** | **Description** | **Size** |

| |
|---|
| No Attachments |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Agent |
| I read the above and agree | Yes |

## [FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2010

Primary Owner: US National Park Service - Point Reyes National Seashore
Application Number: A013322
License Number: 003800
Date Submitted: 2012-06-14

| 1. Project Abandoned | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |

| 2. Compliance with License Terms and Conditions | |
|---|---|
| I have currently reviewed my water right license and 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 | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |
| Other changes | |
| Description of other changes | |

| 4. Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 sq ft lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| 5. Amount of Water Diverted and Used | | |
|---|---|---|
| **Month** | **Amount directly diverted or collected to storage (Gallons)** | **Amount used (Gallons)** |
| January | 24000.0 | 24000.0 |
| February | 24000.0 | 24000.0 |
| March | 24000.0 | 24000.0 |
| April | 24000.0 | 24000.0 |
| May | 24000.0 | 24000.0 |
| June | 24000.0 | 24000.0 |
| July | 24000.0 | 24000.0 |
| August | 24000.0 | 24000.0 |
| September | 24000.0 | 24000.0 |
| October | 24000.0 | 24000.0 |
| November | 24000.0 | 24000.0 |
| December | 24000.0 | 24000.0 |

| | | |
|---|---|---|
| Total | 288000 | 288000 |

| 6. Maximum Rate of Diversion for each Month | |
|---|---|
| **Month** | **Maximum Rate of Diversion (GPM)** |
| January | |
| February | |
| March | |
| April | |
| May | |
| June | |
| July | |
| August | |
| September | |
| October | |
| November | |
| December | |

| 7. 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 | |
|---|---|
| 8. Are you now employing water conservation efforts? | No |
| Description of water conservation efforts | |
| 9. Amount of water conserved | |

| Water Quality and Wastewater Reclamation | |
|---|---|
| 10. 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 |
| 11. Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive Use of Groundwater and Surface Water | |
|---|---|
| 12. During the period covered by this Report, were you using groundwater in lieu of available surface water authorized under your license? | No |
| 13. Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. Water not used consumptively has remained instream in support of fish and wildlife, including endangered coho salmon and threatened steelhead. NPS has filed a change petition under section 1707 of Water Code to reflect this change. |

| Attachments | | |
|---|---|---|
| **File Name** | **Description** | **Size** |

| |
|---|
| No Attachments |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Agent |
| I read the above and agree | Yes |

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**

NOV 18 2011

In Reply Refer
to: ANT: 13322

U.S. National Park Service
c/o Eric Lord
1201 Oak Ridge Dr, Ste 250
Fort Collins, CO 80525

Dear Mr. Lord:

PETITIONS FOR CHANGE FOR MULTIPLE LICENSES (APPLICATIONS 13322, 13473, 13965A, 21371) IN LAGUNITAS CREEK WATERSHED IN MARIN COUNTY

Your petitions for change under the licenses have been approved. The requested changes have been incorporated in the enclosed amended licenses. The amended licenses may be viewed at: http://www.waterboards.ca.gov/water_issues/programs/ewrims/license_search.shtml. All previous versions of the licenses have been superseded by the present version of the licenses.

The amended water rights include conditions based on any of the following which are applicable to this Project: (1) protest resolution; (2) mitigation measures based on any California Environmental Quality Act document and/or public trust evaluation prepared for the petition; (3) standard license terms related to (a) continuing authority and water quality (Cal. Code Regs., tit. 23, § 780 (a), (b)), (b) threatened and endangered species, and (c) archeology; and (4) previous orders of the State Water Resources Control Board. Please make sure that you have reviewed the amended water rights and understand your obligations.

If you require further assistance, please contact Angela Nguyen-Tan at (916) 341-5318 or anguyentan@waterboards.ca.gov. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: "Angela Nguyen-Tan", PO Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

Katherine Mrowka

for Phillip Crader, Manager
Permitting and Licensing Section
Division of Water Rights

Enclosure

cc: See next page

cc (w/o enclosure): U.S National Park Service
Pacific West Region
333 Bush St, Ste 500
San Francisco, CA 94104-2828

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

**DIVISION OF WATER RIGHTS**

# Amended License for Diversion and Use of Water

APPLICATION 13322 PERMIT 7889 LICENSE 3800
Page 1 of 4

**THIS IS TO CERTIFY, That**

US National Park Service
Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

has the right to the use of the waters of **Olema Creek** in **Marin County**

tributary to **Lagunitas Creek** thence **Tomales Bay** thence the **Pacific Ocean**

for the purpose of **Domestic, Stockwatering, Fish and Wildlife Preservation and Enhancement, and Recreational uses**.

The Deputy Director for Water Rights finds that: (a) the change will not operate to the injury of any lawful user of water; (b) good cause has been shown for the change; (c) the petition does not constitute the initiation of a new right; and (d) the State Water Resources Control Board (State Water Board) has made the required findings pursuant to the California Environmental Quality Act (CEQA) or the project is exempt from CEQA.

Additionally, the State Water Board has complied with its independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346], 658 P.2d 709.)

The amended license is being issued in accordance with the redelegations of authority (Resolution No. 2007-0057.) Therefore, an amended license on **Application 13322** filed on **August 31, 1949** has been approved by the State Water Board SUBJECT TO PRIOR RIGHTS and to the limitations and conditions of this amended license.

**Amended License 3800** supersedes the license originally issued on **August 17, 1953**, which was perfected in accordance with the laws of California, the Regulations of the State Water Board, or its predecessor, and the terms of **Permit 7889**. The priority of this right dates from **August 31, 1949**. Proof of maximum beneficial use of water under this license was made as of **June 24, 1952** (the date of inspection).

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 **a total of thirteen thousand (13,000) gallons per day by direct diversion from January 1 to December 31 of each year as follows: (1) two thousand (2,000) gallons per day by direct diversion for Domestic and Stockwatering uses; and (2) eleven thousand (11,000) gallons per day for instream flow for Fish and Wildlife Preservation and Enhancement and Recreational uses. The maximum diverted under this license shall not exceed fourteen and six-tenths (14.6) acre-feet per year.**

**THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:**

By California Coordinate System of 1983, Zone 3, North 2,192,925 feet and East 5,911,620 feet, being within SE¼ of NE¼ of projected Section 28, T2N, R8W, MDB&M.

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

For Domestic and Stockwatering use at residence and grounds located within SE¼ of NW¼ of projected Section 28, T2N, R8W, MDB&M; and for Fish and Wildlife Preservation and Enhancement and Recreational use at stream segment between the Point of Diversion located by California Coordinate System of 1983, Zone 3, North 2,192,925 feet and East 5,911,620 feet, being within SE¼ of NW¼ of projected Section 28, T2N, R8W, MDB&M (upstream limit), and the confluence of Lagunitas Creek and Tomales Bay (downstream limit), as shown on map on file with the State Water Board.

No water shall be diverted under this license except through a fish screen on the intake to the diversion structure, satisfactory to meet the physical and operational specifications of the Department of Fish and Game, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, to protect Central California Coast Coho salmon (*Oncorhynchus kisutch)*, Central Coast steelhead (*Oncorhynchus mykiss irideus)* and Chinook salmon (*Oncorhynchus tshawytscha)*, listed as endangered or threatened under the California Endangered Species Act (Fish and Game Code sections 2050 to 2098 and the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). Construction, operation and maintenance costs of the required facility are the responsibility of the licensee.

(0000214)

Licensee shall install and maintain devices, satisfactory to the Deputy Director for Water Rights, to measure the instantaneous rate of diversion and cumulative quantity of water diverted under this license. A record of such measurements shall be maintained by the licensee for ten years from the date of collection, and made available to the Deputy Director for Water Rights, upon request.

(000000R)

Licensee shall not use more water under the basis of riparian right on the Place of Use authorized by this license than licensee would have used absent the appropriation authorized by this license. Based on the information in the Division of Water Right's files, riparian water has not been used on the Place of Use. Therefore, consistent with this term, licensee may not divert any additional riparian water for use on the Place of Use authorized by this license under basis of riparian right. With the Deputy Director for Water Rights' approval, this information may be updated, and licensee may use water under basis of riparian right on the authorized Place of Use, provided that licensee submits reliable evidence to the Deputy Director for Water Rights quantifying the amount of water that licensee likely would have used under the basis of riparian right absent the appropriation authorized by this license. The Deputy Director for Water Rights is hereby authorized to approve or reject any proposal by licensee to use water under the basis of riparian right on the Place of Use authorized by this license. Licensee shall report any non-compliance with the terms of the permit to the Deputy Director for Water Rights within three days of identification of the violation.

(0560300b)

*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.*

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

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

*Pursuant to 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 State Water 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 State Water 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 paragraph unless the State Water 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 State Water 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 State Water 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.*

*The quantity of water diverted under this license is subject to modification by the State Water Board if, after notice to the licensee and an opportunity for hearing, the State Water 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 State Water 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.*

*This license 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 2089) 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 licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.*

*If construction or rehabilitation work is required for the diversion works covered by this license within the bed, channel, or bank of the affected water body, the licensee shall enter into a streambed or lake alteration agreement with the State Department of Fish and Game. Licensee shall submit a copy of the agreement, or waiver thereof, to the Division of Water Rights prior to commencement of work. Compliance with the terms and conditions of the agreement is the responsibility of the licensee.*

***This license is granted and the 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 State Water 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 (of the Water Code) 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 therefore 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).

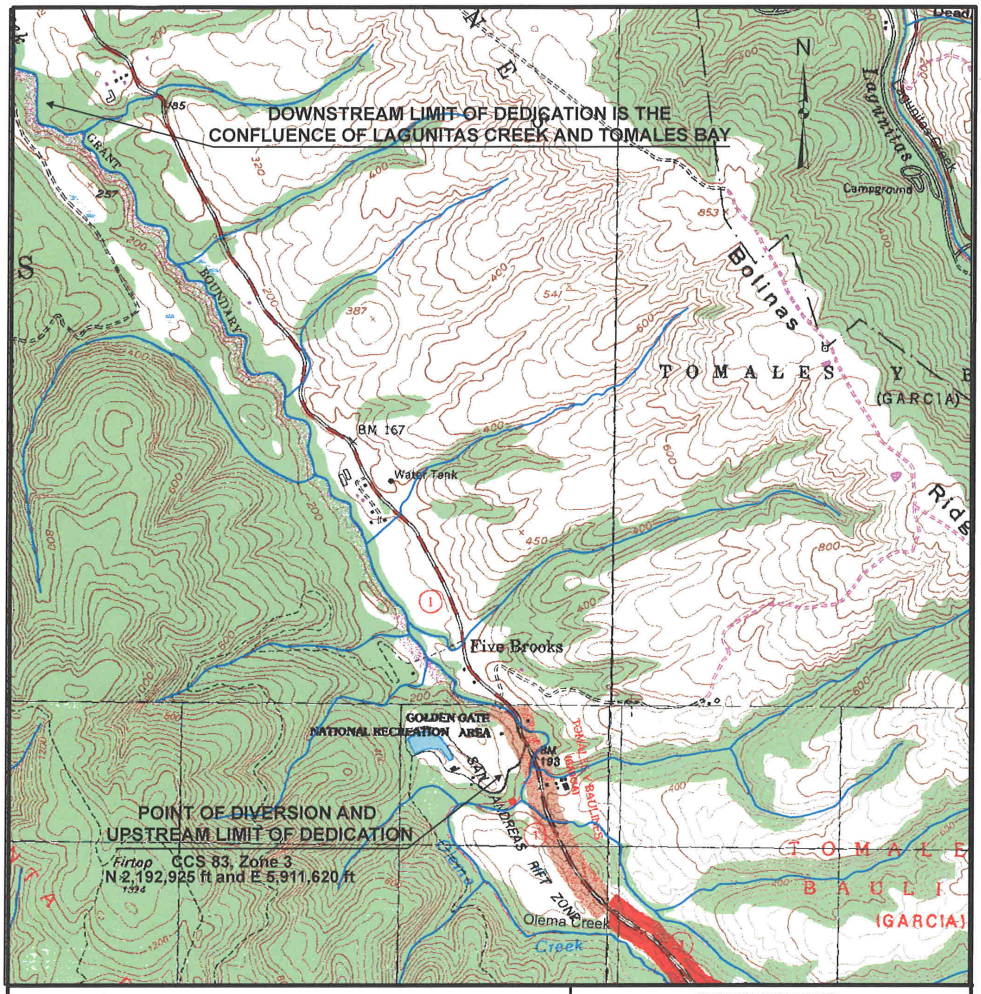
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied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

STATE WATER RESOURCES CONTROL BOARD

for James W. Kassel
*Barbara Evoy, Deputy Director*
*Division of Water Rights*

Dated: NOV 18 2011




| | |
|---|---|
| OWNER U.S. NATIONAL PARK SERVICE<br>POINT REYES NATIONAL SEASHORE | STATE OF CALIFORNIA<br>CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY<br>STATE WATER RESOURCES CONTROL BOARD<br>DIVISION OF WATER RIGHTS |
| SOURCE OLEMA CREEK | APPLICATION NO. 13322 |
| POINT OF DIVERSION WITHIN<br>SE1/4 OF NE1/4 OF PROJECTED SECTION 28, T2N, R8W, MDB&M | LICENSE NO. 3800 |
| COUNTY OF MARIN | LICENSING |
| U.S.G.S. QUAD: DOUBLE POINT DATE: 1994 SCALE: 1:24,000 | DATE: 9/21/11 DRAWN: ANT CHECKED: MJM |

Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.

State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000 ♦ Fax: 916.341.5400
♦ www.waterboards.ca.gov/waterrights ♦

Linda S. Adams
*Secretary for*
*Environmental Protection*

Arnold Schwarzenegger
*Governor*

**NOTICE OF PETITIONS FOR CHANGE FOR LICENSES 9730, 4324A, 3827, AND 3800 (APPLICATIONS 21371, 13965A, 13473, AND 13322, RESPECTIVELY) TO DEDICATE WATER TO ENHANCE INSTREAM FISH HABITAT (WATER CODE SECTION 1707)**

COUNTY: Marin STREAM SYSTEM: Lagunitas Creek

The U. S. National Park Service - Point Reyes National Seashore (Petitioner) has filed four petitions for change in place and purpose of use, pursuant to California Water Code Section 1707. The Petitioner proposes to dedicate water diverted under Licenses 9730, 4342A, 3827, and 3800 to instream use to enhance the flow of three creeks, Lagunitas, Olema, and an Unnamed Stream (aka Fish Hatchery Creek) located within Point Reyes National Seashore, for the benefit of fish, wildlife, and recreation. The dedication of two of the existing water right licenses (4342A and 9730) to instream use is part of the Giacomini Wetland Restoration Project (Project), which involves restoring ranchland to active floodplain or wetlands. All structural diversions have been or will be removed and there will be no construction or re-grading as a result of these petitions. The impacts of the Project are addressed in the *Final Giacomini Wetland Restoration Project Environmental Impact Statement/Environmental Impact Report (2007 (Giacomini EIS/EIR))*, on file at the Division of Water Rights. Any correspondence directed to the Petitioner should be mailed to Eric Lord, 1201 Oak Ridge Drive Ste 250, Fort Collins, CO 80525, or by email at Eric_Lord@nps.gov.

Summary of License 9730 and petition for change:

| | |
|---|---|
| Source: | Unnamed Stream (aka Fish Hatchery Creek) tributary to Tomales Bay thence the Pacific Ocean |
| Point of Diversion (POD): | **Present:** Within SE¼ of SW¼ of projected Section 26, T3N, R9W, MDB&M<br>**Proposed:** POD to be abandoned |
| Amount and Season: | **Present:** Maximum amount of 150 acre-feet per year as follows: direct diversion of 0.5 cubic feet per second (cfs) from May 30 to September 30 of each year for irrigation and 7,800 gallons per day (gpd) from April 1 to May 30 and from October 1 to December 30 of each year for stockwatering<br>**Proposed:** The entire licensed amount of appropriate water diverted for irrigation and stockwatering, pursuant to License 9730, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from April 1 to December 30 of each year. |
| Purpose of Use: | **Present:** Irrigation and Stockwatering<br>**Proposed:** Preserve and enhance fish and wildlife resources; recreation |
| Place of Use: | **Present:** 30 acres within SW¼ , Section 26 , T3N, R9W, MDB&M<br>**Proposed:** Stream segment from POD to the mouth of the Unnamed Stream (aka Fish Hatchery Creek) as highlighted in map submitted with the petition for change |

Summary of License 4324A and petition for change:

| | |
|---|---|
| Source: | Lagunitas Creek tributary to Tomales Bay thence the Pacific Ocean |
| PODs: | **Present:** POD 1 within SW¼ of NW¼ of projected Section 36; POD 2 within SW¼ of SE¼ and POD 3 within SE¼ of NE¼ of projected Section 25; all within T3N, R9W, MDB&M; and POD 4 yet to be determined related to the report referred to in condition 1 of the Army Corps of Engineers' permit<br>**Proposed:** all PODs will be abandoned |
| Amount and Season: | **Present:** Direct diversion of 2.0 cfs from May 1 to November 1 of each year<br>**Proposed:** The entire licensed amount of appropriated water diverted for irrigation, pursuant to License 4342A, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from May 1 to November 1 of each year. |
| Purpose of Use: | **Present:** Irrigation<br>**Proposed:** Preserve and enhance fish and wildlife resources; recreation |
| Place of Use: | **Present:** 312 acres within projected Sections 26, 35, and 36, T3N, R9W, MDB&M<br>**Proposed:** Stream segment from the uppermost POD to mouth of creek, as highlighted in map submitted with the petition for change |

Summary of License 3827 and petition for change:

| | |
|---|---|
| Source: | Olema Creek tributary to Lagunitas Creek thence Tomales Bay thence the Pacific Ocean |
| PODs: | **Present:** POD 1 within NE¼ of SE¼ of projected Section 20, and POD 2 within SW¼ of SW¼ of projected Section 21, both within T2N, R8W, MDB&M<br>**Proposed:** all PODs will be abandoned |
| Amount and Season: | **Present:** Direct diversion of 11,500 gpd from about March 15 to about October 15 for irrigation and throughout the year as required for domestic and stockwatering<br>**Proposed:** The entire licensed amount of appropriated water diverted for irrigation, stock watering, and domestic use, pursuant to License 3827, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from January 1 to December 31 of each year. |
| Purpose of Use: | **Present:** Irrigation, Domestic, Stockwatering<br>**Proposed:** Preserve and enhance fish and wildlife resources; recreation |
| Place of Use: | **Present:** 0.75 acre within NE¼ of SE¼ of projected Section 20 and SE¼ of SW¼ of projected Section 21, all within T2N, R8W, MDB&M.<br>**Proposed:** Stream segment from the uppermost POD to confluence with Lagunitas Creek, as highlighted in map submitted with the petition for change |

Summary of License 3800 and petition for change:

| | |
|---|---|
| Source: | Olema Creek tributary to Lagunitas Creek thence Tomales Bay thence the Pacific Ocean |
| POD: | **Present:** Within SE¼ of NW¼ of projected Section 28, T2N, R8W, MDB&M<br>**Proposed:** POD will be abandoned |
| Amount and Season: | **Present:** Direct diversion of 13,000 gpd from January 1 to December 31 of each year<br>**Proposed:** 0.0170 cfs of appropriated water, which represents the licensed limit less current consumptive use by lessee, diverted for industrial and domestic use, pursuant to License 3800, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from January 1 to December 31 of each year. |
| Purpose of Use: | **Present:** Domestic and Industrial<br>**Proposed**: Preserve and enhance fish and wildlife resources; recreation |
| Place of Use: | **Present:** SE¼ of NW¼ and NE¼ of NW¼ of projected Section 28, T2N, R8W, MDB&M<br>**Proposed**: Stream segment from POD to confluence with Lagunitas Creek, as highlighted on map submitted with petition for change |

Project information, procedures for protesting and protest forms are available at: www.waterboards.ca.gov/waterrights. The contact person for this matter is Beth Glidewell at (916) 341-5426, or by e-mail at EGlidewell@waterboards.ca.gov.

Protests must be received by the Division of Water Rights by **4:30 p.m. on January 24, 2011**
Date of Notice: December 23, 2010

State of California
State Water Resources Control Board
**DIVISION OF WATER RIGHTS**
**P.O. Box 2000, Sacramento, CA 95812-2000**
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

# PETITION FOR CHANGE (Amended)

(WATER CODE 1700)

_____ Point of Diversion, _____ Point of Rediversion XX Place of Use **XX** Purpose of Use
Application **A013322** Permit **00789** License **3800** Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

**Point of Diversion or Rediversion** (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the
40-acre subdivision in which the present & proposed points lie.)
Present **South eleven degrees west seven hundred five feet from center of bridge of State Route 1 over Olema Creek being within SE ¼ NW ¼, projected Section 28, T2N, R8W, MDB&M (N 37° 59' 45.2" W 122° 45' 21.8")**
Proposed **NA.**
**Place of Use** (If irrigation then state number of acres to be irrigated within each 40-acre tract.)
Present **SE ¼ of NW ¼ and NE ¼ of NW ¼, Projected Section 28, T2N, R8W, MDB&M.**
Proposed **Stream segment from point of diversion to confluence with Lagunitas Creek, as highlighted on attached map.**
**Purpose of Use**
Present **Domestic; Industrial**
Proposed **Preserve and enhance fish and wildlife resources; recreation**
Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? **Yes.**

- GIVE REASON FOR PROPOSED CHANGE:
  **Amend licensed purpose to reflect NPS mission and use; enhance salmonid spawning habitat; recreation**

- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? **Yes.**

- WATER WILL BE USED FOR **Enhancement of instream flows for salmonid habitat purposes. We seek to convert 0.0170 cfs, which represents the licensed limit less current consumptive use by lessee.**

I(we) have access to the proposed point of diversion or control the proposed place of use by virtue of ?
**Land ownership.**
Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? **No.**

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

**License 7411 (Application 18862), held by Fred Rodoni, authorizes diversion of 0.05 cfs from May 1 to September 30, and 2.2 acre-feet per year for storage to be drawn from October 1 through April 30. The points of diversion of this license are located approximately 6 miles downstream from the subject point of diversion. License 7411 is located within the reach we have proposed for protection. Mr. Rodoni's address P.O. Box 746, Point Reyes Station, CA 94956-0746.**

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated October 4, 20 10 at Fort Collins, Colorado.

Wm. R. Hansen

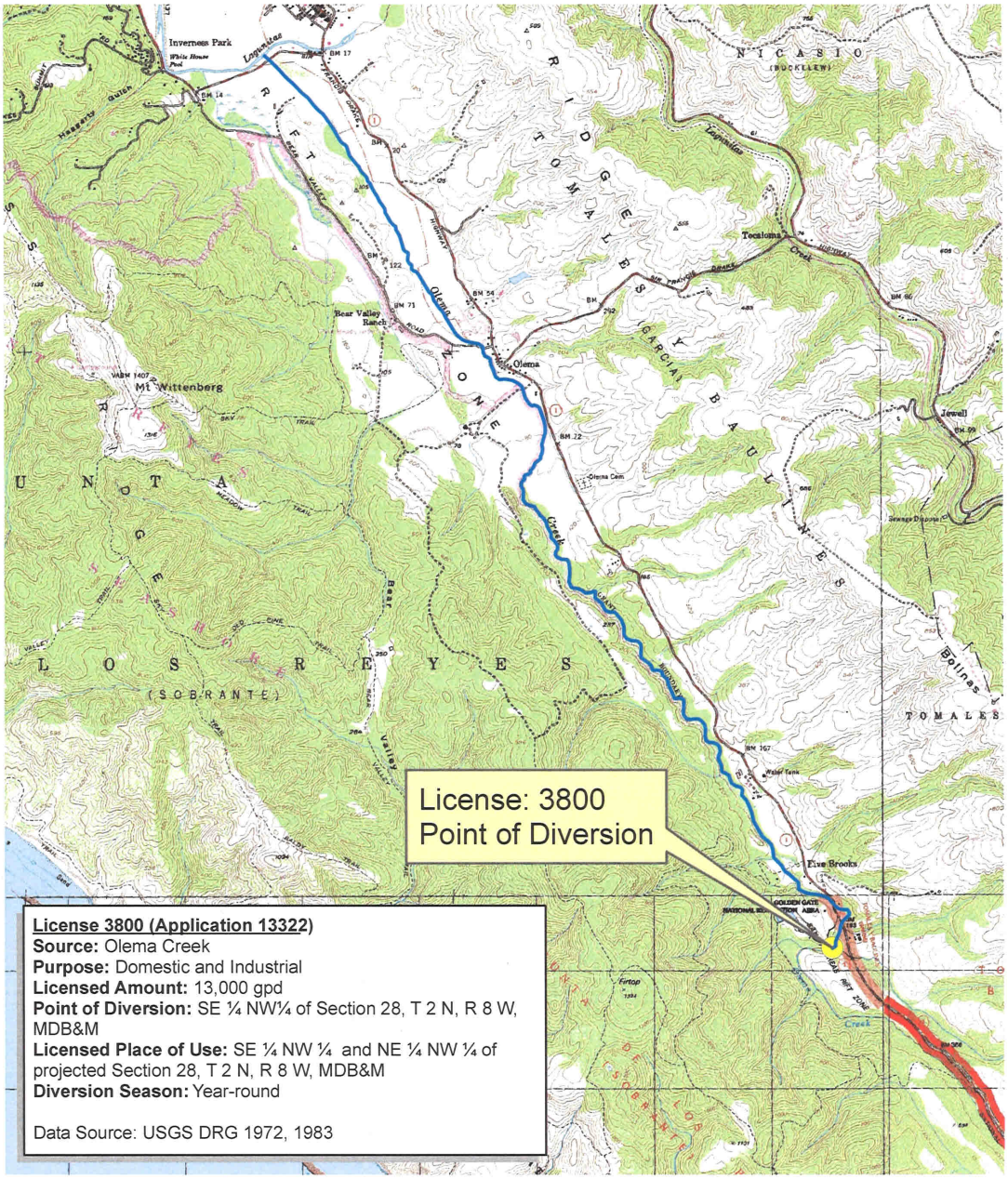
William R. Hansen
Acting Chief, Water Rights Branch
Water Resources Division
National Park Service
(970) 225-3506

**NOTE:** A **$1,000 fee**, for each Application listed, made payable to the State Water Resources Control Board and an **$850 fee** made payable to the Department of Fish and Game must accompany a petition for change.

10-00-2004: Amended Map for Point of Diversion, License 3800

**Point Reyes National Seashore**
**California**

**National Park Service**
**U.S. Department of the Interior**




**License 3800 (Application 13322)**
**Source:** Olema Creek
**Purpose:** Domestic and Industrial
**Licensed Amount:** 13,000 gpd
**Point of Diversion:** SE ¼ NW¼ of Section 28, T 2 N, R 8 W, MDB&M
**Licensed Place of Use:** SE ¼ NW ¼ and NE ¼ NW ¼ of projected Section 28, T 2 N, R 8 W, MDB&M
**Diversion Season:** Year-round

Data Source: USGS DRG 1972, 1983

0 0.5 1 2 Miles

**Produced by Natural Resource GIS Program**

AMENDED

**September 2010**

FILE: License3800.mxd

Used to amend licenses. ELord 12-7-11

POINT REYES NATIONAL SEASHORE

Coordinates: Points of Diversion

(1) License 4324A (Waldo Giacomini):

Old Surface Diversion Intake on Lagunitas Creek
N 38° 03' 53.2"
W 122° 48' 38.0"
Pump (Lagunitas Creek)
N 38° 03' 53.7"
W 122° 48' 38.4"

Points of Diversion: Within SW ¼ NW ¼, projected Section 36; within SW ¼ SE ¼, projected Section 25; within SE ¼ NE ¼, projected Section 25, T 3 N, R 9 W, MDB&M

(2) License 9730 (Waldo Giacomini): Fish Hatchery Creek
E 515,399m
N 4, 213,767m (UTM coordinates)

Points of Diversion:

(3) License 3800 (Smoot): Olema Creek
N 37° 59' 45.2"
W 122° 45' 21.8"

Point of Diversion: SE ¼ NW ¼, Section 28, T 2 N, R 8 W, MDB&M

(4) License 3827 (Lupton): Olema Creek
N 37° 59' 56.6"
W 122° 45' 16.6"

Point of Diversion: NE ¼ SE ¼, projected Section 20, and SW ¼ SW ¼, projected Section 21, T 2N, R 8 W, MDB&M

## [FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2009

Primary Owner: US National Park Service - Point Reyes National Seashore
Application Number: A013322
License Number: 003800
Date Submitted: 2010-06-02

| Compliance with License Terms and Conditions | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |
| I have reviewed my water right license | Yes |
| I am complying with all terms and conditions | Yes |
| Description of noncompliance with terms and conditions | Please see remarks. |
| Intake location has been changed | |
| Description of intake location changes | |
| Type of use has changed | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |

| Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 sq.ft lawn/garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| Month | Amount directly diverted or collected to storage (Gallons) | Amount beneficially used (Gallons) |
|---|---|---|
| January | 24000.0 | 24000.0 |
| February | 24000.0 | 24000.0 |
| March | 24000.0 | 24000.0 |
| April | 24000.0 | 24000.0 |
| May | 24000.0 | 24000.0 |
| June | 24000.0 | 24000.0 |
| July | 24000.0 | 24000.0 |
| August | 24000.0 | 24000.0 |
| September | 24000.0 | 24000.0 |
| October | 24000.0 | 24000.0 |
| November | 24000.0 | 24000.0 |
| December | 24000.0 | 24000.0 |
| Total | 288000 | 288000 |

| 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? | |
| 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? | |
| Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive 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 license? | |
| Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. Water not used consumptively has remained instream in support of fish and wildlife, including endangered coho salmon and threatened steelhead. NPS has filed a change petition under section 1707 of Water Code to reflect this change. |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Other |
| I read the above and agree | Yes |

## [FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2008

Primary Owner: US National Park Service - Point Reyes National Seashore
Application Number: A013322
License Number: 003800
Date Submitted: 2010-06-02

| Compliance with License Terms and Conditions | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |
| I have reviewed my water right license | Yes |
| I am complying with all terms and conditions | Yes |
| Description of noncompliance with terms and conditions | Please see remarks. |
| Intake location has been changed | |
| Description of intake location changes | |
| Type of use has changed | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |

| Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 sq ft garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| Month | Amount directly diverted or collected to storage (Gallons) | Amount beneficially used (Gallons) |
|---|---|---|
| January | 24000.0 | 24000.0 |
| February | 24000.0 | 24000.0 |
| March | 24000.0 | 24000.0 |
| April | 24000.0 | 24000.0 |
| May | 24000.0 | 24000.0 |
| June | 24000.0 | 24000.0 |
| July | 24000.0 | 24000.0 |
| August | 24000.0 | 24000.0 |
| September | 24000.0 | 24000.0 |
| October | 24000.0 | 24000.0 |
| November | 24000.0 | 24000.0 |
| December | 24000.0 | 24000.0 |
| Total | 288000 | 288000 |

| 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? | |
| 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? | |
| Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive 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 license? | |
| Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. Water not used consumptively has remained instream in support of fish and wildlife, including endangered coho salmon and threatened steelhead. NPS has filed a change petition under section 1707 of Water Code to reflect this change. |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Other |
| I read the above and agree | Yes |

## [FINAL SUBMITTED VERSION]

## REPORT OF LICENSEE FOR 2007

Primary Owner: US National Park Service - Point Reyes National Seashore
Application Number: A013322
License Number: 003800
Date Submitted: 2010-06-02

| Compliance with License Terms and Conditions | |
|---|---|
| The project has been abandoned and I request revocation of my water right license | No |
| I have reviewed my water right license | Yes |
| I am complying with all terms and conditions | Yes |
| Description of noncompliance with terms and conditions | Please see remarks. |
| Intake location has been changed | |
| Description of intake location changes | |
| Type of use has changed | Yes |
| Description of type of use changes | Please see remarks. |
| Place of use has changed | |
| Description of place of use changes | |

| Purpose of Use | |
|---|---|
| Domestic | 2 persons; 200 sq ft garden |
| Fish and Wildlife Protection and/or Enhancement | Please see remarks. |
| Stockwatering | 40 cattle; 10 horses |

| Month | Amount directly diverted or collected to storage (Gallons) | Amount beneficially used (Gallons) |
|---|---|---|
| January | 24000.0 | 24000.0 |
| February | 24000.0 | 24000.0 |
| March | 24000.0 | 24000.0 |
| April | 24000.0 | 24000.0 |
| May | 24000.0 | 24000.0 |
| June | 24000.0 | 24000.0 |
| July | 24000.0 | 24000.0 |
| August | 24000.0 | 24000.0 |
| September | 24000.0 | 24000.0 |
| October | 24000.0 | 24000.0 |
| November | 24000.0 | 24000.0 |
| December | 24000.0 | 24000.0 |
| Total | 288000 | 288000 |

| 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? | |
| 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? | |
| Amount of reclaimed, desalinated, or polluted water used | |

| Conjuctive 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 license? | |
| Amounts of groundwater used | |

| Additional Remarks |
|---|
| Current consumptive uses reflect uses by lessee in support of range cattle, horses, and domestic needs. Water not used consumptively has remained instream in support of fish and wildlife, including endangered coho salmon and threatened steelhead. NPS has filed a change petition under section 1707 of Water Code to reflect this change. |

| Contact Information of the Person Submitting the Form | |
|---|---|
| First Name | Eric |
| Last Name | Lord |
| Relation to Water Right | Other |
| I read the above and agree | Yes |

03-15-2010: Letter to NPS from CA Water Resources Control Board regarding Petition for change of license


# State Water Resources Control Board

**Division of Water Rights**
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights

**Linda S. Adams**
*Secretary for*
*Environmental Protection*

**Arnold Schwarzenegger**
*Governor*


415 663-8132

In Reply Refer
To: ANT: 13322, et al.

MAR 15 2010

Eric Lord
National Park Service
1201 Oak Ridge Drive Suite 250
Fort Collins, CO 80525

Dear Mr. Lord:

PETITION FOR CHANGE OF LICENSE 3800 (A013322), LICENSE 4324A (A013965A), LICENSE 3827 (A013473), AND LICENSE 9730 (A21371) OF NATIONAL PARK SERVICE, ON LAGUNITAS AND OLEMA CREEKS IN MARIN COUNTY

The Division of Water Rights (Division) has received petitions for change in the place and purpose of use for Licenses 3800, 4324A, 3827, and 9730 on November 3, 2009. The petitions for change have been filed pursuant to California Water Code section 1707. Preliminary review has found that the requested changes in the place and purpose of use appear to meet the requirements of California Water Code section 1701.2.

## PETITION FOR CHANGE FILING FEE

California Code of Regulations section 1064 states that the fee for filing a petition for change pursuant to California Water Code section 1707 is $850.00.

| | |
|---|---|
| **3800 (A013322):** Petition for Change under section 1707 | $ 850.00 |
| **4324A (A013965A):** Petition for Change under section 1707 | $ 850.00 |
| **3827 (A013473):** Petition for Change under section 1707 | $ 850.00 |
| **9730 (A21371):** Petition for Change under section 1707 | $ 850.00 |
| Petitions for Change Fees Submitted: | $ 3400.00 |
| Total Petition for Change Fees Due: | $ 0.00 |

## FISH AND GAME ENVIRONMENTAL FILING FEE

Section 10005 of the Public Resources Code requires the California Department of Fish and Game (DFG) to impose an $850 filing fee on any user of water who files an application for a water right permit with the State Water Resources Control Board. The Division has received a letter from DFG pursuant to the subject petitions for change stating that the DFG has waived the filing fee per Public Resources Code section 1005 (d)(4).

All petition for change filing fees for Licenses 3800, 4324A, 3827, and 9730 have been paid in full. No additional payment is required at this time. Please be advised that in addition to the

above fees, all active applications, petitions for change, permits and licenses may be subject to annual fees. These fees are based upon the acre-foot per annum requested under the application or authorized under the permit or license. If a fee is required, the Division will calculate the annual fee, and the State Board of Equalization will send you a Notice of Determination requesting payment. If you have any questions regarding the calculation or payment of fees, please contact our fee line at 916-341-5431.

The Division will prepare a public notice of your petitions for change. Any party may submit a protest during the public noticing period. A protest may be based on impacts to existing water rights or impacts to the environment. You will be advised of any actions that you must take after the petition is noticed to respond to protests.

If you have any questions, please contact Angela Nguyen-Tan at (916) 341-5318 or ANguyenTan@waterboards.ca.gov.

Sincerely,

Steven Herrera, Manager
Water Rights Permitting Section

State of California
State Water Resources Control Board
**DIVISION OF WATER RIGHTS**
**P.O. Box 2000, Sacramento, CA 95812-2000**
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

# PETITION FOR CHANGE

(WATER CODE 1700)

_____ Point of Diversion, _____ Point of Rediversion, _____ Place of Use **XX** Purpose of Use
Application **A013322** Permit **00789** License **3800** Statement or Other _____

I (we) hereby petition for change(s) noted above and shown on the accompanying map and described as follows:

**Point of Diversion or Rediversion** (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the
40-acre subdivision in which the present & proposed points lie.)
Present **South eleven degrees west seven hundred five feet from center of bridge of State Route 1 over Olema Creek being within SE ¼ NW ¼, projected Section 28, T2N, R8W, MDB&M (N 37° 59' 45.2" W 122° 45' 21.8")**
Proposed **NA.**

**Place of Use** (If irrigation then state number of acres to be irrigated within each 40-acre tract.)
Present **SE ¼ of NW ¼ and NE ¼ of NW ¼, Projected Section 28, T2N, R8W, MDB&M.**
Proposed **Stream segment from headwater to confluence with Lagunitas Creek, as highlighted on attached map.**

**Purpose of Use**
Present **Domestic; Industrial**
Proposed **Preserve and enhance fish and wildlife resources; recreation**
Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? **Yes.**

• GIVE REASON FOR PROPOSED CHANGE:
**Amend licensed purpose to reflect NPS mission and use; enhance salmonid spawning habitat; recreation**

• WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? **Yes.**

• WATER WILL BE USED FOR **Enhancement of instream flows for salmonid habitat purposes. We seek to convert 0.0170 cfs, which represents the licensed limit less current consumptive use by lessee.**

I(we) have access to the proposed point of diversion or control the proposed place of use by virtue of ?
**Land ownership.**
Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? **No.**

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

**License 7411 (Application 18862), held by Fred Rodoni, authorizes diversion of 0.05 cfs from May 1 to September 30, and 2.2 acre-feet per year for storage to be drawn from October 1 through April 30. The points of diversion of this license are located approximately 6 miles downstream from the subject point of diversion. License 7411 is located within the reach we have proposed for protection. Mr. Rodoni's address P.O. Box 746, Point Reyes Station, CA 94956-0746.**

**THIS CHANGE DOES NOT INVOLVE AN INCREASE IN THE AMOUNT OF THE APPROPRIATION OR SEASON OF USE.**

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated October 16, 2009 at Fort Collins, Colorado.

for Charles W. Pettee
Chief, Water Rights Branch
Water Resources Division
National Park Service
(970) 225-3506

**NOTE:** A **$1,000 fee**, for each Application listed, made payable to the State Water Resources Control Board and an **$850 fee** made payable to the Department of Fish and Game must accompany a petition for change.

**California Environmental Protection Agency**

State Water Resources Control Board
**DIVISION OF WATER RIGHTS**
**P.O. Box 2000, Sacramento, CA 95812-2000**
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

# ENVIRONMENTAL INFORMATION FOR PETITIONS

**Petition for Change**

**Application No. 13322** **Permit No. 7989** **License No. 3800**

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

## 1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

**License No. 3800 authorizes direct diversion of up to 13,000 gpd from Olema Creek. This petition seeks to return water to the stream pursuant to Section 1707 to enhance fish and wildlife habitat. No construction or building is planned; no grading or excavating; and no land use changes are planned. Some physical changes are possible, as incidental to the possible removal of water diversion facilities.**

*See Attachment No. ___*

## 2. COUNTY PERMITS

a. Contact your county planning or public works department and provide the following information:

Person contacted: **Front Desk (Mary)** Date of contact: **February 21, 2007**
Department: **Marin County Planning** Telephone: **(415) 499-6528**
County Zoning Designation: **Open Area**

Are any county permits required for your project? **NO. (Liz Lewis, Marin County Public Works, 415-499-7226).**

If YES, check appropriate box below:
Grading permit Use permit Watercourse Obstruction permit Change of zoning
General plan change Other (explain):

b. Have you obtained any of the required permits described above? **NA**
If YES, provide a complete copy of each permit obtained.
*See Attachment No. ___*

## 3. STATE/FEDERAL PERMITS AND REQUIREMENTS

a. Check any additional state or federal permits required for your project: **NONE**
Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management
Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board
Coastal Commission State Lands Commission Other (specify)

**Contacted California Coastal Commission (Mark Delaplaine, 415 904-5289) on March 14, 2007. The point of diversion is not located within CCC jurisdiction.**

b. For each agency from which a permit is required, provide the following information:

| AGENCY | PERMIT TYPE | PERSON(S) CONTACTED | CONTACT DATE | TELEPHONE NO. |
|---|---|---|---|---|

*See Attachment No. ___*

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake?
**NO**
If YES, explain:

*See Attachment No. ___*

d. Have you contacted the California Department of Fish and Game concerning your project? **YES**

If YES, name and telephone number of contact: **Linda Hanson (retired); Greg Martinelli (707) 944-5570.**

## 4. ENVIRONMENTAL DOCUMENTS

a. Has any California public agency prepared an environmental document for your project? **NO**

If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____

If NO, check the appropriate box and explain below, if necessary:

**This change is exempt from CEQA pursuant to 14 Cal. Code Regs. 15301(i), 15307, 15308, and *In the Matter of Licenses 465, 466, and 4822, and Permit 854,* 1995 WL 59093 (Cal. St. Wat. Res. Bd.). This change is also exempt from NEPA pursuant to NEPA Guidleines, Section 3.4, E.(2) and (4).**

*See Attachment No. ___*

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

## 5. WASTE/WASTEWATER

a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

**NO. Minor temporary turbidity incidental to removal of diversion facilities may occur.**

If YES, or you are unsure of your answer, explain below and contact your local Regional Water

Quality Control Board for the following information (See instruction booklet for address and telephone no.):

_____

_____

*See Attachment No. ___*

b. Will a waste discharge permit be required for your project? **NO**

Person contacted: _____ Date of contact: _____

c. What method of treatment and disposal will be used?

_____

*See Attachment No. ___*

**6. ARCHEOLOGY**

a. Have any archeological reports been prepared on this project? **NO**
b. Will you be preparing an archeological report to satisfy another public agency? **NO**
c. Do you know of any archeological or historic sites located within the general project area? **NO**
If YES, explain:

*See Attachment No. ___*

**7. ENVIRONMENTAL SETTING**

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

Along the stream channel immediately downstream from the proposed point(s) of diversion.

Along the stream channel immediately upstream from the proposed point(s) of diversion.

At the place(s) where the water is to be used.

**8. CERTIFICATION**

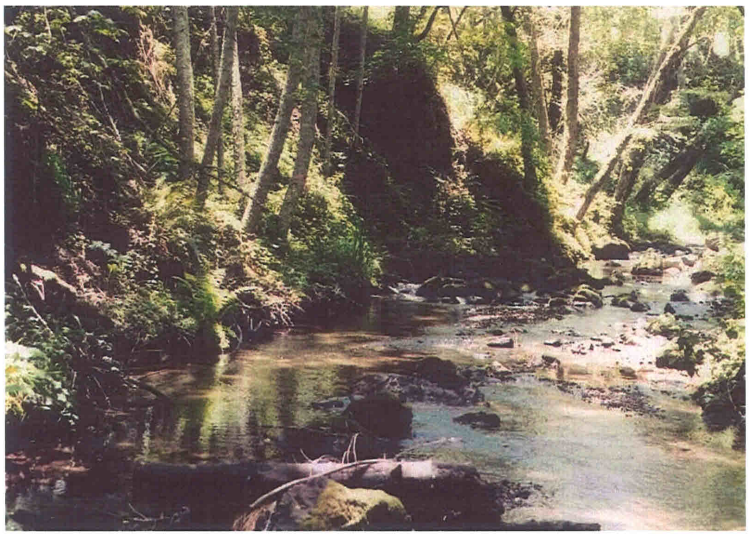
I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: October 16, 2009

Signature: Jeffrey E. Hughes
for Charles W. Pettee
Chief, Water Rights Branch
Water Resources Division
National Park Service
(970) 225-3506

License 3800
Olema Creek

Looking upstream from
Point of Diversion



September 2003

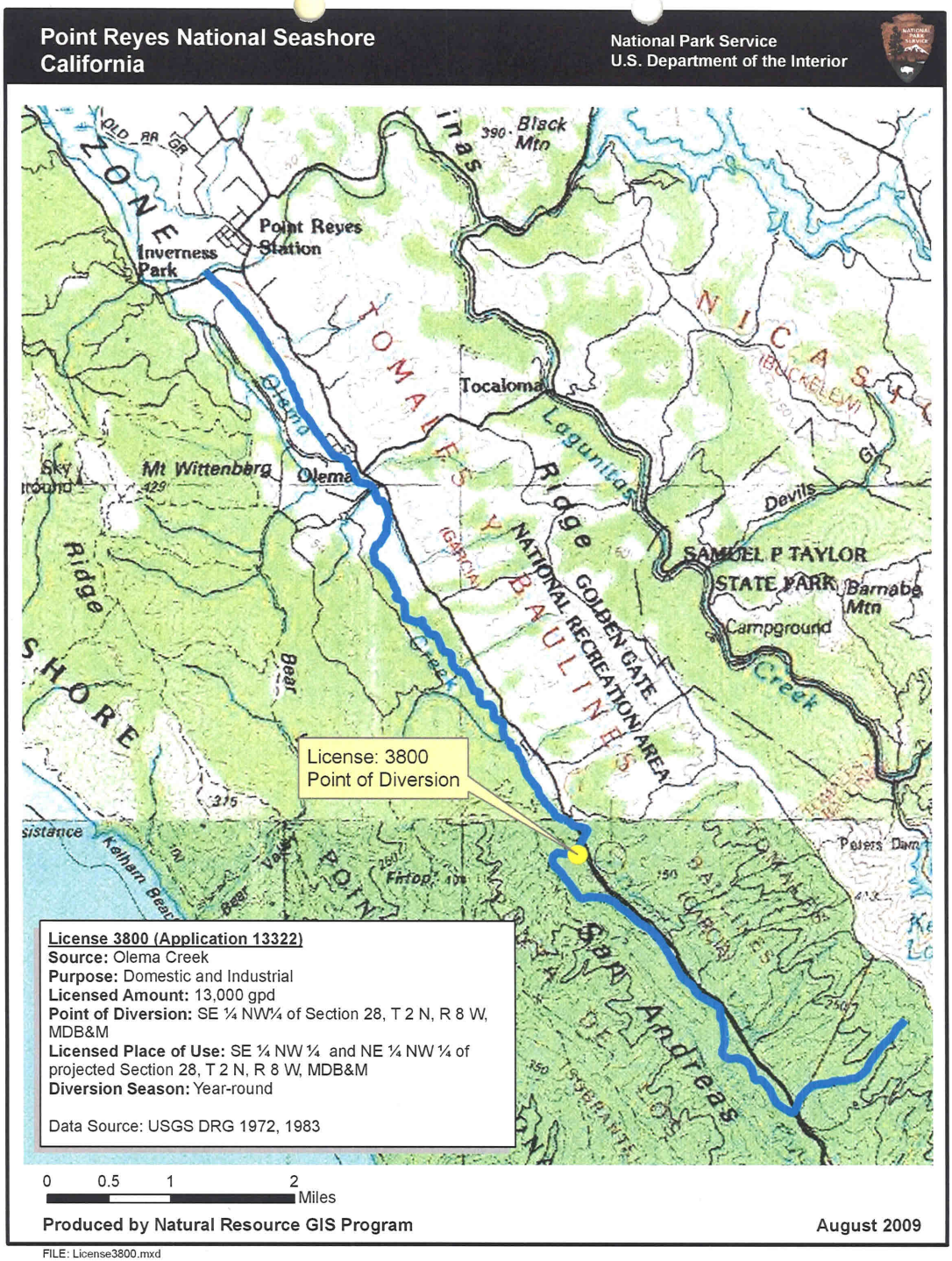
License 3800
Olema Creek

Looking downstream from
Point of Diversion



September 2003

08-00-2009: Map of amended application# License 3800 Point of Diversion



State of California
Department of Fish and Game

Flex your POWER

# Memorandum

Date: September 24, 2009

To: Ms. Victoria Whitney, Chief
State Water Resources Control Board
Division of Water Rights
Post Office Box 2000
Sacramento, CA 95812
vwhitney@waterboards.ca.gov

*Original signed by Cindy Catalano for*
From: Charles Armor, Regional Manager
**Department of Fish and Game – Bay Delta Region, Post Office Box 47, Yountville, California 94599**

Subject: Fee Waiver for the National Park Service on Section 1707 Petitions for License Numbers 9730, 4324A, 3800, and 3827 on Lagunitas and Olema Creeks in the Point Reyes National Seashore, Marin County

The Department of Fish and Game (DFG) is requesting that the State Water Resources Control Board accept the four 1707 petitions from the National Park Service without the DFG filing fee required by Public Resources Code 10005. Per Section 10005 (d)(4) of the Public Resources Code, DFG is waiving the fee requirement for the four 1707 petitions referenced above on Lagunitas and Olema creeks because the purpose of the filings is to change the licenses from consumptive use to instream use for the benefit of fish and wildlife resources.

If you have questions regarding this protest, please contact Mr. Greg Martinelli, Water Conservation Supervisor, at (707) 944-5570; or by writing to DFG at the memorandum address listed above.

cc: Mr. Bill Hearn
NOAA Fisheries
777 Sonoma Avenue, Room 325
Santa Rosa, CA 95404

Mr. Eric Lord, Water Rights Specialist
National Park Service
Natural Resources Program Center
Water Resources Division
1201 Oak Ridge Drive, Suite 250
Fort Collins, CO 80525

e✉: C. Gray, G. Martinelli
CG/djh

Form DI-1
(Rev. 1/25/05)
(modified by NPS/WRD)

Page 1 of 1

UNITED STATES
DEPARTMENT OF THE INTERIOR
REQUISITION

| | | |
|---|---|---|
| ☐ 2380-WRB1-NWZ WRB OPERATIONS | | REQUISITION NO. 2380-09- 3540 |
| ☒ 2380-WRB2-NWZ WRB PROJECTS | BUREAU/OFFICE Water Resources Division, Fort Collins, CO 80525 | DATE 9-4-09 |

FORM OF PAYMENT: CIRCLE ONE
(CONVENIENCE CHECK) IA/CA/CONTRACT CREDIT CARD 3RD PARTY DRAFT

| | |
|---|---|
| VENDOR: (name, address, phone number)<br>State Water Resources Control Board<br>PO Box 2000<br>Sacramento, CA 95812-2000<br>(916) 341-5300 | DELIVER TO: National Park Service/Water Rights Branch<br>1201 Oakridge Drive, Suite 250<br>Fort Collins CO 80525 |

| ITEM OR FORM NO. | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|
| | Petition for Change (Water Code 1707) for License No. 3800<br><br>JUSTIFICATION:<br>Change water right to meet park purposes. (Point Reyes National Seashore) | | 1 | 850.00 | 850.00 |
| | TOTAL | | | | $ 850.00 |

TO BE COMPLETED BY FISCAL AUTHORITY ONLY

FUND CERTIFICATION: Funds in the amount shown are available and chargeable to the cost authorities shown above.

| | | | |
|---|---|---|---|
| Requisitioned by (Signature) Eric H. Ezell | Date 9-4-09 | Approved by (Signature) Charles Pettee | Date 9/4/09 |
| TITLE Water Rights Specialist | | TITLE Charles W. Pettee, Chief, Water Rights Branch | |
| VM Faucam 9/18/09 | | Bureau Officer (Signature) | Date |
| | | TITLE Chief, Water Resources Division | |

C: FLORA/MY FILES/DI-1FORM.DOC

**United States Department of the Interior**

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596

IN REPLY REFER TO:

August 6, 2009

L54(2380)
PORE/Water Rights

Mr. Chuck Armor
Department of Fish & Game
Bay Delta Region
Post Office Box 47
Yountville, California 94599
Attention: Greg Martinelli

Re: Request for Fee Waiver

Dear Mr. Armor,

The Water Resources Division of the National Park Service is in process of filing 4 petitions pursuant to Cal. Water Code § 1707 with the State Water Resources Control Board. The purpose of the filings is to change the 4 licenses from consumptive use of water to instream use in support of fish and wildlife.

Through this letter, we are requesting, pursuant to Cal. Public Resources Code § 10005(d)(4), that the fee payable to the Cal. Department of Fish and Game be waived. Eric Lord of my office has provided draft copies of this project to your office for review and determination of the benefit to fish and wildlife.

If you need further information or have other questions, please contact Eric Lord of my staff at (970) 225-3526. I appreciate your consideration of this matter.

Sincerely,

Charles W. Pettee
Chief, Water Rights Branch

Smoot

Return completed report to: STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000
For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

# REPORT OF LICENSEE FOR

YEARS: 2006 - 2008

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

Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

APPLICATION NO.: A013322
LICENSE NO.: 3800
CONTACT PHONE NO.: (415)464-5100

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525
(970) 225-3526

## LICENSE SUMMARY

| NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed) | PARCEL NO | COUNTY LOCATION |
|---|---|---|
| Olema Creek | | Marin |

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

MAX COLLECTION TO STORAGE AMOUNT:
[Total reservoirs(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) |
|---|---|---|---|
| Domestic | | January 1 - December 31 | NA |
| Industrial | | Janvery 1 - December 31 | NA |

[ ] YES [X] NO The project has been abandoned and I request revocation of my water right license.

**COMPLIANCE WITH LICENSE TERMS AND CONDITIONS:** This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [X] YES [ ] NO I have currently reviewed my water right license.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [X] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks' on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

**DIRECT DIVERSION ONLY - AMOUNT OF WATER USED:** **Please report only the amounts diverted and beneficially used under this permit.**

4. Amount of water used each month under this license in [X] gallons or [ ] acre-feet:

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2006 | 24,000 | | | | | | | | | | | 1 | 290,000 |
| 2007 | 24,000 | | | | | | | | | | | 1 | 290,000 |
| 2008 | 24,000 | | | | | | | | | | | 1 | 290,000 |

**STORAGE PROJECTS ONLY:** *(Note: Up to 5 reservoirs may be covered under a single license. Refer to your license for the actual number covered.) Complete for long-term storage projects only:*

NA

| | | | |
|---|---|---|---|
| 5. Did your reservoir(s) spill? | | | |
| 6. If **No** on No. 5 above, how many feet vertically below the spillway was the water level(s) at maximum storage? | | | |
| 7. Have you emptied the reservoir(s)? | | | |
| 8. If **No** on No. 7 above, how many feet vertically below the spillway was the water level(s) at minimum storage? | | | |

(Continues on reverse)

**BENEFICIAL USE(S) OF WATER:** *(Note: See reverse side for a summary of the beneficial uses of water authorized under your water right license.)*
Under the appropriate boxes below, explain how the water was used each year:

| Beneficial Use | 2006 | 2007 | 2008 |
|---|---|---|---|
| 9. Irrigation – specify no. of acres irrigated | | | |
| 10. Frost Protection – specify no. of acres protected | | | |
| 11. Heat Control – specify no. of acres protected | | | |
| 12. Industrial – specify type | | | |
| 13. Stockwatering – specify no. & type of animals (Range cattle) | 42 | 42 | 42 |
| 14. Municipal – approx. population served | | | |
| 15. Domestic – specify no. of persons, lawn/garden area | 2 persons, 200 ft² garden | | |
| 16. Power Generation – installed capacity in kW, MW, or hp | | | |
| 17. Recreational – specify (boating, fishing, water contact sports, etc.) | | | |
| 18. Other – specify (Examples: fire protection, wildlife enhancement, dust control, snowmaking, mining, etc.) | Fish + Wildlife | — | " |

**PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT 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)**
19. [ ] YES [X] NO During the period covered by this Report, were you implementing any water conservation efforts? If **YES**, please describe:

20. If **YES** and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)**
21. [ ] YES [X] 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?

22. 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 license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)**
23. [ ] YES [X] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

24. 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:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**REMARKS:** (Identify the item you are explaining; additional pages may be attached.)
Current consumptive uses reflect uses by lessee in support of range cattle and domestic needs. Consumptive uses (for dairy cattle) scaled back since around 1980. Water not used consumptively has remained instream in support of fish and wildlife including endangered coho salmon & threatened steelhead

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

Signature: D J Deuloach Date: 8/24/09 Phone No.: (415) 461-5720
LICENSEE (OR AGENT / DESIGNEE)

Smoot

Return completed form to: STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000
For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

# REPORT OF LICENSEE FOR

YEARS: 2003-2005

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

Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

APPLICATION NO.: A013322
LICENSE NO.: 3800
CONTACT PHONE NO.: (415)464-5100

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525
(970) 225-3526

## LICENSE SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed): Olema Creek
PARCEL NO:
COUNTY LOCATION: Marin

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

MAX COLLECTION TO STORAGE AMOUNT:
[Total reservoirs(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) |
|---|---|---|---|
| Domestic | | January 1 - December 31 | NA |
| Industrial | | January 1 - December 31 | NA |

[ ] YES [X] NO The project has been abandoned and I request revocation of my water right license.

**COMPLIANCE WITH LICENSE TERMS AND CONDITIONS:** This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [X] YES [ ] NO I have currently reviewed my water right license.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [X] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks' on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

**DIRECT DIVERSION ONLY - AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.**

4. Amount of water used each month under this license in [X] gallons or [ ] acre-feet:

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2003 | 24,000 | — | — | — | — | — | — | — | — | — | — | 1 | 290,000 |
| 2004 | 24,000 | — | — | — | — | — | — | — | — | — | — | 1 | 290,000 |
| 2005 | 24,000 | — | — | — | — | — | — | — | — | — | — | 1 | 290,000 |

**STORAGE PROJECTS ONLY:** *(Note: Up to 5 reservoirs may be covered under a single license. Refer to your license for the actual number covered.) Complete for long-term storage projects only:*

NA

| | | | |
|---|---|---|---|
| 5. Did your reservoir(s) spill? | | | |
| 6. **If No** on No. 5 above, how many feet vertically below the spillway was the water level(s) at maximum storage? | | | |
| 7. Have you emptied the reservoir(s)? | | | |
| 8. **If No** on No. 7 above, how many feet vertically below the spillway was the water level(s) at minimum storage? | | | |

(Continues on reverse)

**BENEFICIAL USE(S) OF WATER:** *(Note: See reverse side for a summary of the beneficial uses of water authorized under your water right license.)* Under the appropriate boxes below, explain how the water was used each year.

| Beneficial Use | 2003 | 2004 | 2005 |
|---|---|---|---|
| 9. Irrigation – specify no. of acres irrigated | | | |
| 10. Frost Protection – specify no. of acres protected | | | |
| 11. Heat Control – specify no. of acres protected | | | |
| 12. Industrial – specify type | | | |
| 13. Stockwatering – specify no. & type of animals (large cattle) | 42 | 42 | 42 |
| 14. Municipal – approx. population served | | | |
| 15. Domestic – specify no. of persons, lawn/garden area | 2 persons, 200 ft garden | | |
| 16. Power Generation – installed capacity in kW, MW, or hp | | | |
| 17. Recreational – specify (boating, fishing, water contact sports, etc.) | | | |
| 18. Other – specify (Examples: fire protection, wildlife enhancement, dust control, snowmaking, mining, etc.) | Fish & wildlife | | |

**PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT 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)**

19. [ ] YES [X] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:

20. If **YES** and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)**

21. [ ] YES [X] 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?

22. 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 license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)**

23. [ ] YES [X] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

24. 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:

| *Future amendments to this claim will not be accepted.* | NA | | |
|---|---|---|---|
| Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**REMARKS:** (Identify the item you are explaining; additional pages may be attached.)
Current consumptive uses reflect uses by lessee in support of large cattle and domestic needs. Consumptive uses (for dairy cattle) scaled back since around 1980. Water not used consumptively has remained instream in support of fish and wildlife including endangered coho salmon: Humboldt Steelhead

*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: 8/24/09 Phone No.: (415) 464-5[illegible]
LICENSEE (OR AGENT / DESIGNEE)

Smart

Return completed Report to: STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000
For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

# REPORT OF LICENSEE FOR

YEARS:

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

Point Reyes National Seashore
Point Reyes CA 94956
1 Bear Valley Rd.

APPLICATION NO.: A 013322
LICENSE NO.: 3800
CONTACT PHONE NO.: (415) 464-5100

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

Eric Lord
1201 Oak Ridge Dr. Ste 250
Ft Collins CO 80525
(970) 225-3526

**LICENSE SUMMARY**

**NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed)** Olema Creek

**PARCEL NO**

**COUNTY LOCATION** Marin

**MAX DIRECT DIVERSION RATE:** 13,000 GPD
[Cubic feet per second (CFS) or Gallons per day (GPD)]

**MAX COLLECTION TO STORAGE AMOUNT:** 0 Ac-Ft
[Total reservoirs(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) |
|---|---|---|---|
| Domestic | | Jan 01 - Dec 31 | 0 Ac |
| Industrial | | " " | 0 Ac |

[ ] YES [X] NO The project has been abandoned and I request revocation of my water right license.

**COMPLIANCE WITH LICENSE TERMS AND CONDITIONS:** This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [X] YES [ ] NO I have currently reviewed my water right license.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [X] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks" on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

**DIRECT DIVERSION ONLY - AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.**

4. Amount of water used each month under this license in [ ] gallons or [ ] acre-feet:

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2003 | | X | X | X | X | X | X | X | X | X | X | X | |
| 2004 | | X | X | X | X | X | X | X | X | X | X | X | |
| 2005 | | X | X | X | X | X | X | X | X | X | X | X | |

**STORAGE PROJECTS ONLY:** *(Note: Up to 5 reservoirs may be covered under a single license. Refer to your license for the actual number covered.)*
*Complete for long-term storage projects only:*

| | 2003 | 2004 | 2005 |
|---|---|---|---|
| 5. Did your reservoir(s) spill? | N/A | | |
| 6. If **No** on No. 5 above, how many feet vertically below the spillway was the water level(s) at maximum storage? | | | |
| 7. Have you emptied the reservoir(s)? | | | |
| 8. If **No** on No. 7 above, how many feet vertically below the spillway was the water level(s) at minimum storage? | | | |

(Continues on reverse)

**BENEFICIAL USE(S) OF WATER:** *(Note: See reverse side for a summary of the beneficial uses of water authorized under your water right license.)*
Under the appropriate boxes below, explain how the water was used each year:

| Beneficial Use | 2003 | 2004 | 2005 |
|---|---|---|---|
| 9. Irrigation – specify no. of acres irrigated | | | |
| 10. Frost Protection – specify no. of acres protected | | | |
| 11. Heat Control – specify no. of acres protected | | | |
| 12. Industrial – specify type | | | |
| 13. Stockwatering – specify no. & type of animals | 40 hd beef | 40 hd beef | 40 hd beef |
| 14. Municipal – approx. population served | | | |
| 15. Domestic – specify no. of persons, lawn/garden area | | | |
| 16. Power Generation – installed capacity in kW, MW, or hp | | | |
| 17. Recreational – specify (boating, fishing, water contact sports, etc.) | ✓ | ✓ | ✓ |
| 18. Other – specify (Examples: fire protection, wildlife enhancement, dust control, snowmaking, mining, etc.) | Wl Enhce | " | " |

**PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT 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)**
19. **[ ] YES [X] NO** During the period covered by this Report, were you implementing any water conservation efforts? If **YES**, please describe:

_____

20. If **YES** and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below:

| *Future amendments to this claim will not be accepted.* | 2003 | 2004 | 2005 |
|---|---|---|---|
| Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)**
21. **[ ] YES [X] 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?

22. 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 license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below:

| *Future amendments to this claim will not be accepted.* | 2003 | 2004 | 2005 |
|---|---|---|---|
| Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)**
23. **[ ] YES [X] NO** During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

24. 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:

| *Future amendments to this claim will not be accepted.* | 2003 | 2004 | 2005 |
|---|---|---|---|
| Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**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:_____ Date: _____ Phone No.: (_____) _____
LICENSEE (OR AGENT / DESIGNEE)

Smoot

Return completed Report to: STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000
For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

# REPORT OF LICENSEE FOR

YEARS: 2000 - 2002

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

Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

APPLICATION NO.: A013322
LICENSE NO.: 3800
CONTACT PHONE NO.: (415)464-5100

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525
(970) 225-3526

## LICENSE SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed): Olema Creek
PARCEL NO:
COUNTY LOCATION: Marin

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

MAX COLLECTION TO STORAGE AMOUNT:
[Total reservoirs(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) |
|---|---|---|---|
| Domestic | | January 1 - December 31 | NA |
| Industrial | | Janvery 1 - December 31 | NA |

[ ] YES [X] NO The project has been abandoned and I request revocation of my water right license.

**COMPLIANCE WITH LICENSE TERMS AND CONDITIONS:** This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [X] YES [ ] NO I have currently reviewed my water right license.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [X] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks" on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

**DIRECT DIVERSION ONLY - AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.**

4. Amount of water used each month under this license in [X] gallons or [ ] acre-feet:

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2000 | 24,000 | | | | | | | | | | | | 288,000 |
| 2001 | 24,000 | | | | | | | | | | | | 290,000 |
| 2002 | 24,000 | | | | | | | | | | | | 290,000 |

**STORAGE PROJECTS ONLY:** *(Note: Up to 5 reservoirs may be covered under a single license. Refer to your license for the actual number covered.)*
*Complete for long-term storage projects only:*

NA

| | | | |
|---|---|---|---|
| 5. Did your reservoir(s) spill? | | | |
| 6. If **No** on No. 5 above, how many feet vertically below the spillway was the water level(s) at maximum storage? | | | |
| 7. Have you emptied the reservoir(s)? | | | |
| 8. If **No** on No. 7 above, how many feet vertically below the spillway was the water level(s) at minimum storage? | | | |

(Continues on reverse)

**BENEFICIAL USE(S) OF WATER:** *(Note: See reverse side for a summary of the beneficial uses of water authorized under your water right license.)*
Under the appropriate boxes below, explain how the water was used each year:

| Beneficial Use | 2000 | 2001 | 2002 |
|---|---|---|---|
| 9. Irrigation – specify no. of acres irrigated | | | |
| 10. Frost Protection – specify no. of acres protected | | | |
| 11. Heat Control – specify no. of acres protected | | | |
| 12. Industrial – specify type | | | |
| 13. Stockwatering – specify no. & type of animals (range cattle) | 42 | 42 | 42 |
| 14. Municipal – approx. population served | | | |
| 15. Domestic – specify no. of persons, lawn/garden area | 2 persons; 200 ft² garden | | |
| 16. Power Generation – installed capacity in kW, MW, or hp | | | |
| 17. Recreational – specify (boating, fishing, water contact sports, etc.) | | | |
| 18. Other – specify (Examples: fire protection, wildlife enhancement, dust control, snowmaking, mining, etc.) | Fish + wildlife | Fish + wildlife | Fish + Wildlife |

**PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT 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)**
19. [ ] YES [X] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:

20. If YES and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)**
21. [ ] YES [X] 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?

22. 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 license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)**
23. [ ] YES [X] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

24. 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: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**REMARKS:** (Identify the item you are explaining; additional pages may be attached.)
Current consumptive uses reflect uses by lessee in support of range cattle and domestic needs. Consumptive uses (for dairy cattle) scaled back since around 1980. Water not used consumptively has remained instream in support of fish and wildlife including endangered coho salmon & threatened steelhead

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

Signature: DJ Mello Date: 8/24/09 Phone No.: (415) 464-5100
LICENSEE (OR AGENT / DESIGNEE)

Smoot

Return completed report to: STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO, CA 95812-2000
For assistance completing this Report, call: (916) 341-5300 FAX (916) 341-5400

# REPORT OF LICENSEE FOR

YEARS: 1997-1999

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

Point Reyes National Seashore
1 Bear Valley Road
Point Reyes, CA 94956

APPLICATION NO.: A013322
LICENSE NO.: 3800
CONTACT PHONE NO.: (415)464-5100

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

Eric Lord
1201 Oak Ridge Drive Ste 250
Fort Collins, CO 80525
(970) 225-3526

## LICENSE SUMMARY

NAME(S) OF SOURCES OF WATER (Up to first 4 sources listed): Olema Creek
PARCEL NO:
COUNTY LOCATION: Marin

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

MAX COLLECTION TO STORAGE AMOUNT:
[Total reservoirs(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) |
|---|---|---|---|
| Domestic | | January 1 - December 31 | NA |
| Industrial | | January 1 - December 31 | NA |

[ ] YES [X] NO The project has been abandoned and I request revocation of my water right license.

**COMPLIANCE WITH LICENSE TERMS AND CONDITIONS:** This Report is important since it provides a record of your actual water use as well as your compliance with the terms and conditions of your water right license. The information requested below should be filled out carefully. This Report should be promptly returned to the above address.

1. [X] YES [ ] NO I have currently reviewed my water right license.
2. [X] YES [ ] NO I am complying with all terms and conditions listed in the license. Identify any noncompliance under "Remarks" on the reverse side.
3. [X] YES [ ] NO I have changed the intake location, type(s) of use, and/or place of use authorized by the license. If **Yes**, explain under "Remarks' on reverse side. ***Note:*** *A Change Petition and associated fees may be required for any significant changes to the licensed project.*

**DIRECT DIVERSION ONLY - AMOUNT OF WATER USED: Please report only the amounts diverted and beneficially used under this permit.**

4. Amount of water used each month under this license in [X] gallons or [ ] acre-feet:

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1997 | 24 000 | — | — | — | — | — | — | — | — | — | — | 1 | 280,000 |
| 1998 | 24,000 | — | — | — | — | — | — | — | — | — | — | 1 | 280,000 |
| 1999 | 24,000 | — | — | — | — | — | — | — | — | — | — | 1 | 280,000 |

**STORAGE PROJECTS ONLY:** *(Note: Up to 5 reservoirs may be covered under a single license. Refer to your license for the actual number covered.) Complete for long-term storage projects only:*

NA

| | | | |
|---|---|---|---|
| 5. Did your reservoir(s) spill? | | | |
| 6. If **No** on No. 5 above, how many feet vertically below the spillway was the water level(s) at maximum storage? | | | |
| 7. Have you emptied the reservoir(s)? | | | |
| 8. If **No** on No. 7 above, how many feet vertically below the spillway was the water level(s) at minimum storage? | | | |

(Continues on reverse)

**BENEFICIAL USE(S) OF WATER:** *(Note: See reverse side for a summary of the beneficial uses of water authorized under your water right license.)*
Under the appropriate boxes below, explain how the water was used each year:

| Beneficial Use | | | |
|---|---|---|---|
| 9. Irrigation – specify no. of acres irrigated | | | |
| 10. Frost Protection – specify no. of acres protected | | | |
| 11. Heat Control – specify no. of acres protected | | | |
| 12. Industrial – specify type | | | |
| 13. Stockwatering – specify no. & type of animals | | | |
| 14. Municipal – approx. population served | | | |
| 15. Domestic – specify no. of persons, lawn/garden area | | | |
| 16. Power Generation – installed capacity in kW, MW, or hp | | | |
| 17. Recreational – specify (boating, fishing, water contact sports, etc.) | | | |
| 18. Other – specify (Examples: fire protection, wildlife enhancement, dust control, snowmaking, mining, etc.) | | | |

**PLEASE ANSWER ONLY THOSE QUESTIONS BELOW THAT 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)**
19. [ ] YES [X] NO During the period covered by this Report, were you implementing any water conservation efforts? If YES, please describe:

20. If YES and you want to claim credit for the amount of water conserved towards the water use authorized under your license as allowed under Water Code section 1011, please show the amount of water conserved below: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of water conserved. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**WATER QUALITY AND WASTEWATER RECLAMATION: (Water Code section 1010)**
21. [ ] YES [X] 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?

22. 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 license as allowed by Water Code section 1010, please show the amount of reclaimed, desalinated, or polluted water used below: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of reclaimed, desalinated, or polluted water used. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**CONJUNCTIVE USE OF GROUNDWATER AND SURFACE WATER: (Water Code section 1011.5)**
23. [ ] YES [X] NO During the period covered by this Report, were you using groundwater in lieu of the surface water authorized under your license?

24. 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: NA

| *Future amendments to this claim will not be accepted.* | | | |
|---|---|---|---|
| Amount of groundwater used in lieu of surface water. *Specify in acre-feet (AF) or million gallons (MG)* | | | |

**REMARKS:** (Identify the item you are explaining; additional pages may be attached.)
Current consumptive uses reflect uses by lessee in support of range cattle and domestic needs. Consumptive uses (for dairy cattle) scaled back since around 1980. Water not used consumptively has remained instream in support of fish and wildlife including endangered coho Salmon & threatened steelhead

*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: 8/24/09 Phone No.: 415 464-5102
LICENSEE (OR AGENT / DESIGNEE)

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000 SACRAMENTO, CA 95812-2000
901 P STREET, SACRAMENTO, CA
(916) 657-1364 FAX: (916) 657-1485

A 0 1 3 3 2 2

# REPORT OF LICENSEE FOR 1994, 1995, 1996

OWNER OF RECORD: POINT REYES NATIONAL SEASHORE

APPLICATION: A013322

POINT REYES NATIONAL SEASHORE

LICENSE: 003800

POINT REYES, CA 94956

TELEPHONE NUMBER:
(415) 663-8522

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

| SOURCE: | | COUNTY: |
|---|---|---|
| OLEMA CREEK | | MARIN |
| **PURPOSE:** | **DIVERSION/STORAGE SEASON:** | **ACRES/HP:** |
| DOMESTIC | JAN 01 TO DEC 31 / | 0 AC |
| INDUSTRIAL | JAN 01 TO DEC 31 / | 0 AC |

AMOUNT: 13000 GPD 0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [ X ] NO [ ]. I am complying with the conditions of my license: YES [ X ] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ].

## COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [ ] NO [ ].
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1994 | | X | X | X | X | X | X | X | X | X | X | X | |
| 1995 | | X | X | X | X | X | X | X | X | X | X | X | |
| 1996 | | X | X | X | X | X | X | X | X | X | X | X | |

## COMPLETE FOR STORAGE PROJECTS

| | 1994 | 1995 | 1996 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | | | |
| 4. If not, how many feet below spillway vertically was the water level at maximum storage? | | | |
| 5. Have you emptied the reservoir? | | | |
| 6. How many feet below spillway vertically was it drawn down at end of season? | | | |

(Continues on reverse side)

USE ( COMPLETE FOR ALL PROJECTS) (see page 1 for year of use)

| | | | |
|---|---|---|---|
| 7. Acreage irrigated | | | |
| 8. Stockwatering - number of stock | 40 | 40 | 40 |
| 9. Domestic - number of persons | beef cattle | beef cattle | beef cattle |
| garden area, etc. | 350 sq. ft. | 350 sq.ft. | 350 sq.ft. |
| 10. Recreational - nature of use | | | |
| 11. Industrial - nature of use | | | |
| 12. Municipal - approximate population | | | |
| 13. Power generation - K.W. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason under "Remarks".

16. If the location of the point of diversion or place of use or type of use(s) has been changed and the permission of this Board has not yet been obtained, please describe nature of changes under "Remarks".

PLEASE ANSWER ONLY THOSE QUESTIONS BELOW WHICH ARE APPLICABLE TO YOUR PROJECT.

CONSERVATION OF WATER

17. Describe any water conservation efforts you may have started: _____

18. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Section 1011 of the Water Code, please show the amounts of water conserved:
19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

WATER QUALITY AND WASTEWATER RECLAMATION

19. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

20. If credit toward use under this license through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used: 19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

CONJUNCTIVE USE OF SURFACE WATER AND GROUNDWAtER

21. Are you now using groundwater in lieu of surface water? YES [ ] NO [ ]

22. If credit toward use under this license through substitution of groundwater in lieu of appropriated water is claimed under Section 1011.5 of the Water Code, please show the amounts of groundwater used:
19___ _____(af/mg) 19___ _____(af/mg) 19___ _____(af/mg)

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:

Date:_____Sign Here:_____
LICENSEE (OR AGENT OR DESIGNEE)



FOR0135R5

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA
(916) 324-5626

# REPORT OF LICENSEE FOR 1989, 1990, 1991

OWNER OF RECORD:

POINT REYES NATIONAL SEASHORE
U S NATL PARK SERVICE, WEST REG, DWR
450 GOLDEN GATE AVENUE, P O BOX 36063
SAN FRANCISCO, CA 94102

APPLICATION: A013322

LICENSE: 003800

TELEPHONE NUMBER:
( ) -

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

| SOURCE: | COUNTY: |
|---|---|
| OLEMA CREEK | MARIN |

| PURPOSE: | DIVERSION/STORAGE SEASON: | ACRES/HP: |
|---|---|---|
| DOMESTIC | JAN 01 TO DEC 31 | .0 AC |
| INDUSTRIAL | JAN 01 TO DEC 31 | .0 AC |

AMOUNT: 13000.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [ ] NO [ ]. I am complying with the conditions of my license: YES [ ] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [ ]

**COMPLETE FOR DIRECT DIVERSION PROJECTS**

1. Have you used the full licensed amount of water each year? YES [ ] NO [ ].
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1989 | X | X | X | X | X | X | X | X | X | X | X | X | — |
| 1990 | X | X | X | X | X | X | X | X | X | X | X | X | — |
| 1991 | X | X | X | X | X | X | X | X | X | X | X | X | — |

| COMPLETE FOR STORAGE PROJECTS | 1989 | 1990 | 1991 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | — | — | — |
| 4. If not, how many feet below spillway vertically was the water level at maximum storage? | — | — | — |
| 5. Have you emptied the reservoir? | — | — | — |
| 6. How many feet below spillway vertically was it drawn down at end of season? | — | — | — |
| **USE (COMPLETE FOR ALL PROJECTS)** | | | |
| 7. Acreage irrigated | — | — | — |
| Crops grown | — | — | — |
| 8. Stockwatering – number of stock | 40 | 40 | 40 |
| kind of stock | BEEF CATTLE | BEEF CATTLE | BEEF CATTLE |
| 9. Domestic – number of persons | 2 | 2 | 2 |
| garden area, etc. | 200 SQ FT | 200 SQ FT | 200 SQ FT |
| 10. Recreational – nature of use | — | — | — |
| 11. Industrial – nature of use | | | |
| 12. Municipal – approximate population | | | |
| 13. Power generation – K.W. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

POLE

REPORT OF LICENSEE FOR _____ – PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

**CONSERVATION OF WATER (WATER PURVEYORS)**

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

**CONSERVATION OF WATER (WATER USERS)**

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
19__ _____ 19__ _____ 19__ _____

**WATER QUALITY AND WASTEWATER RECLAMATION**

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

**TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.**

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ].
If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

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.

Date _____ Sign Here: _____
LICENSEE (OR AGENT OR DESIGNEE)

State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95810
901 P STREET SACRAMENTO, CA
(916) 324-5626

# REPORT OF LICENSEE FOR 1986, 1987, 1988

OWNER OF RECORD:

POINT REYES NATICNAL SEASHORE
U S NATIONAL PARK SERVICE, WESTERN REGIO
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A013322

LICENSE: 003800

TELEPHONE NUMBER:
( ) -

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

SOURCE:

OLEMA CREEK

COUNTY:

MARIN

| PURPOSE: | DIVERSION/STORAGE SEASON: | ACRES/HP: |
|---|---|---|
| DOMESTIC | JAN 01 TO DEC 31 | .0 AC |
| INDUSTRIAL | JAN 01 TO DEC 31 | .0 AC |

AMOUNT: 13000.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [ ] NO [ ]. I am complying with the conditions of my license: YES [ ] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [ ]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [ ] NO [ ].
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1986 | | | | | | | | | | | | | |
| 1987 | | | | | | | | | | | | | |
| 1988 | | | | | | | | | | | | | |

| COMPLETE FOR STORAGE PROJECTS | 1986 | 1987 | 1988 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | | | |
| 4. If not, how many feet below spillway vertically was the water level at maximum storage? | | | |
| 5. Have you emptied the reservoir? | | | |
| 6. How many feet below spillway vertically was it drawn down at end of season? | | | |
| **USE (COMPLETE FOR ALL PROJECTS)** | | | |
| 7. Acreage irrigated | | | |
| Crops grown | | | |
| 8. Stockwatering – number of stock | | | |
| kind of stock | | | |
| 9. Domestic – number of persons | | | |
| garden area, etc. | | | |
| 10. Recreational – nature of use | | | |
| 11. Industrial – nature of use | | | |
| 12. Municipal – approximate population | | | |
| 13. Power generation – K.W. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

WR-17 (7-87)

REPORT CONTINUED ON REVERSE

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

**CONSERVATION OF WATER (WATER PURVEYORS)**

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

**CONSERVATION OF WATER (WATER USERS)**

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
19__ _____ 19__ _____ 19__ _____

**WATER QUALITY AND WASTEWATER RECLAMATION**

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

**TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.**

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ]
If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

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.

Date: _____ Sign Here: _____
(LICENSEE / AGENT OR DESIGNEE)

DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 958[illegible]
STREET SACRAMENTO, CA
(916) 324-5626

# REPORT OF LICENSEE FOR 1983, 1984, 1985

OWNER OF RECORD:

POINT REYES NATIONAL SEASHORE
U S NATIONAL PARK SERVICE, WESTERN REGIO
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A013322

LICENSE: 003800

TELEPHONE NUMBER:
(415 )556 - 8660

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

SOURCE:

OLEMA CREEK

COUNTY:

MARIN

| PURPOSE: | DIVERSION/STORAGE SEASON: | ACRES/HP: |
|---|---|---|
| DOMESTIC | JAN 01 TO DEC 31 | .0 AC |
| INDUSTRIAL | JAN 01 TO DEC 31 | .0 AC |

AMOUNT: 13000.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [X] NO [ ]. I am complying with the conditions of my license: YES [X] NO [ ]. Identify any noncompliance by licen term number under "Remarks" on reverse side. This report is important in providing the record of use needed maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [X]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [X] NO [ ].
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1983 | x | x | x | x | x | x | x | x | x | x | x | x | |
| 1984 | x | x | x | x | x | x | x | x | x | x | x | x | |
| 1985 | x | x | x | x | x | x | x | x | x | x | x | x | |

| COMPLETE FOR STORAGE PROJECTS | 1983 | 1984 | 1985 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | | | |
| 4. If not, how many feet below spillway vertically was the water level at maximum storage? | | | |
| 5. Have you emptied the reservoir? | | | |
| 6. How many feet below spillway vertically was it drawn down at end of season? | | | |
| USE (COMPLETE FOR ALL PROJECTS) | | | |
| [illegible] irrigated | | | |
| Crops grown | | | |
| 8. Stockwatering – number of stock | | | |
| kind of stock | | | |
| 9. Domestic – number of persons | x | x | x |
| garden area, etc. | | | |
| 10. Recreational – nature of use | | | |
| 11. Industrial – nature of use | | | |
| 12. Municipal – approximate population | | | |
| 13. Power generation – K.W. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Boar[illegible] yet been obtained, please describe nature of change on the reverse side under "Remarks".

1985

[illegible] CONTINUES ON REVERSE SIDE

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is bes developed, conserved, and utilized in the public interest as required by the Water Code. Please answer thos questions which are applicable to your project.

**CONSERVATION OF WATER (WATER PURVEYORS)**

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detectior program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe ir "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage mor efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individua farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges fo drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduce use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water us for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

**CONSERVATION OF WATER (WATER USERS)**

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claime under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
1978 _____ 1979 _____ 1980 _____

**WATER QUALITY AND WASTEWATER RECLAMATION**

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged int settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or whic would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

**TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.**

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by wast to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriate water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts o reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [
If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant o polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

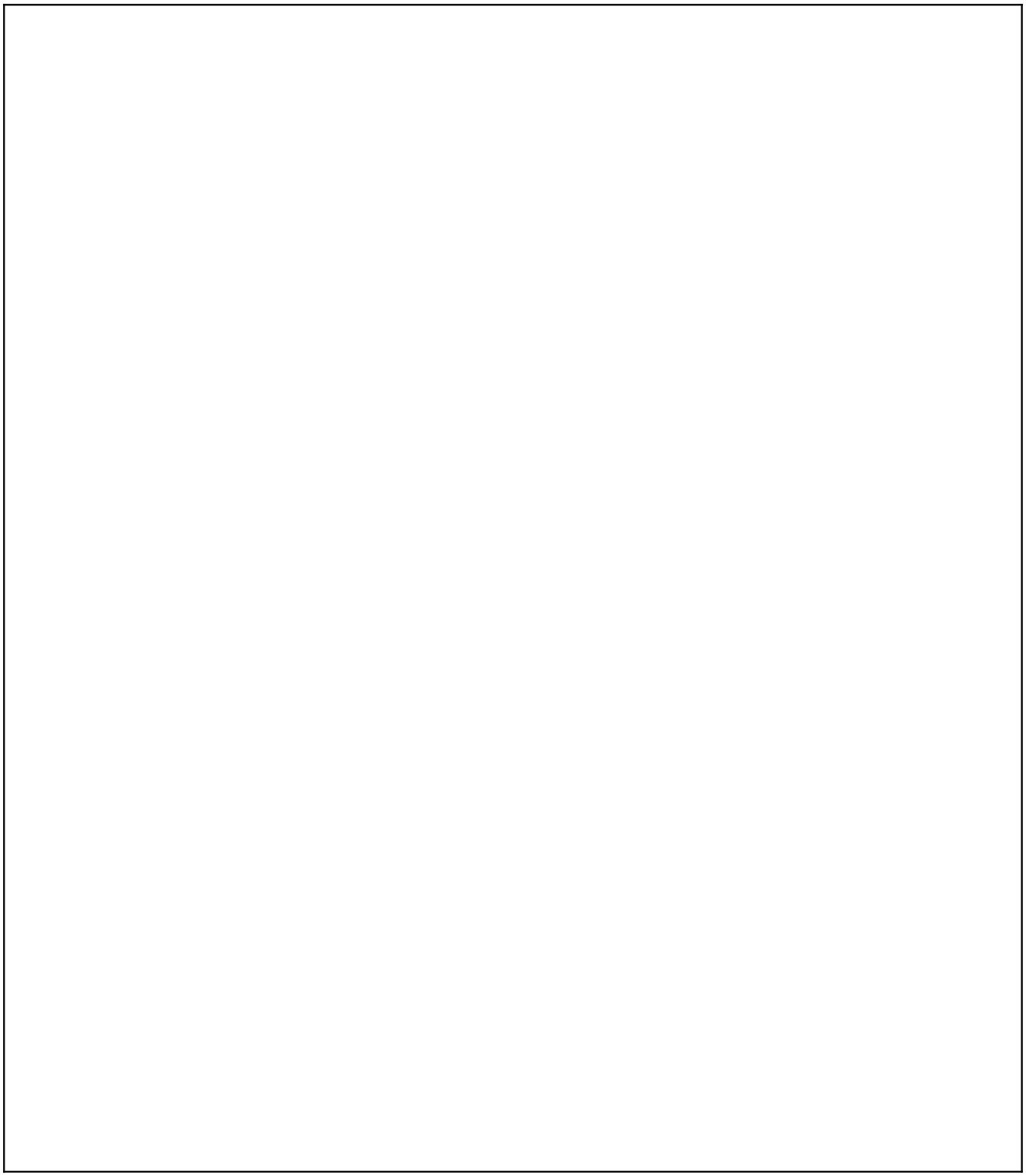
REMARKS: (Identify the item you are explaining. Additional pages may be attached.)

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

Date 1/10/86 Signature Here: (Sgd) Gerard S. Wiluck

LICENSEE OR AGENT OR DESIGNEE

:



State Water Resources Control Board
DIVISION OF WATER RIGHTS
77 Cadillac Drive, Sacramento, CA 95825
(916) 920-6151

# REPORT OF LICENSEE FOR 1980, 1981, 1982

OWNER OF RECORD:

POINT REYES NATIONAL SEASHORE
U S NATIONAL PARK SERVICE, WESTERN REGIO
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIF 94102

APPLICATION: A013322

LICENSE: 003800

TELEPHONE NUMBER:
( ) -

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

SOURCE:
OLEMA CREEK

Declaration: The United States gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

COUNTY:
MARIN

| PURPOSE: | DIVERSION/STORAGE SEASON: | ACRES/HP: |
|---|---|---|
| DOMESTIC | JAN 01 TO DEC 31 | .0 AC |
| INDUSTRIAL | JAN 01 TO DEC 31 | .0 AC |

AMOUNT: 13000.000 GPD 0.0 AC-FT

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! EVERY license is subject to the conditions therein. I have currently reviewed my license: YES [XX]. NO [ ]. I am complying with the conditions of my license: YES [XX] NO [ ]. Identify any noncompliance by license term number under "Remarks" on reverse side. This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the above-listed address.

THE PROJECT HAS BEEN ABANDONED, AND I REQUEST REVOCATION OF THE LICENSE: YES [ ] NO [XX]

COMPLETE FOR DIRECT DIVERSION PROJECTS

1. Have you used the full licensed amount of water each year? YES [XX] NO [ ].
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1980 | x | x | x | x | x | x | x | x | x | x | x | x | |
| 1981 | x | x | x | x | x | x | x | x | x | x | x | x | |
| 1982 | x | x | x | x | x | x | x | x | x | x | x | x | |

| COMPLETE FOR STORAGE PROJECTS | 1980 | 1981 | 1982 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | | | |
| 4. If not, how many feet below spillway vertically was the water level at maximum storage? | | | |
| 5. Have you emptied the reservoir? | | | |
| 6. How many feet below spillway vertically was it drawn down at end of season? | | | |
| USE (COMPLETE FOR ALL PROJECTS) | | | |
| 7. Acreage irrigated | | | |
| Crops grown | | | |
| 8. Stockwatering — number of stock | 80 | | |
| kind of stock | beef | beef | beef |
| 9. Domestic — number of persons | 2 | 2 | 2 |
| garden area, etc. | lawn (20 X 40) | lawn (20 X 40) | lawn (20 X 40) |
| 10. Recreational — nature of use | | | |
| 11. Industrial — nature of use | | | |
| 12. Municipal — approximate population | | | |
| 13. Power generation — K.W. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks".
16. If either the location of the point of diversion or place of use has been changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks".

WR 17 (8-82)
0975

(REPORT CONTINUES ON REVERSE SIDE)

1982

REPORT OF LICENSEE FOR — PAGE 2

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code. Please answer those questions which are applicable to your project.

CONSERVATION OF WATER (WATER PURVEYORS)

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program [ ]; (2) Lining canals [ ]; (3) Phreatophyte and aquatic vegetation control [ ]; (4) Other (describe in "Remarks") [ ].

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.) where applicable [ ]; (2) Return flow systems on individual farms [ ]; (3) Return flow system areawide [ ]; (4) Water pricing to encourage reduced use [ ]; (5) Charges for drainage of irrigated lands [ ]; (6) Other (describe in "Remarks") [ ].

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use [ ]; (2) Public education program on water conservation [ ]; (3) Pricing to encourage reduced use [ ]; (4) Assistance to industry in design of recycle systems [ ]; (5) Other (describe in "Remarks" [ ].

20. What records are maintained on water use and conservation? (1) Loss rate from conveyance system [ ]; (2) Water use for major crops by each farm [ ]; (3) Other (describe in "Remarks") [ ].

CONSERVATION OF WATER (WATER USERS)

21. Describe any water conservation efforts you may have started: _____

22. If credit toward beneficial use of water under this license for water not used due to a conservation effort is claimed under Water Code Section 1011, please show the amounts of water conserved (acre feet or mg.):
19 _____ 19 _____ 19 _____

WATER QUALITY AND WASTEWATER RECLAMATION

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters: _____

24. After use, the water is (1) retained in reservoir [ ]; (2) discharged into a stream or lake [ ]; (3) discharged into settling ponds [ ]; (4) Other [ ]. Describe: _____

25. Does or will water being discharged contain waste materials? YES [ ] NO [ ].
(1) Domestic [ ]; (2) Municipal [ ]; (3) Industrial [ ]; (4) Agricultural [ ]; (5) Other [ ]. Describe: _____

26. Does or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES [ ] NO [ ]. Describe: _____

TO THE EXTENT THE FOLLOWING QUESTIONS APPLY TO YOUR LICENSE, PLEASE ANSWER IN REMARKS SECTION BELOW.

27. Are you now or have you been using reclaimed water from a wastewater treatment facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES [ ] NO [ ].

If credit toward use under this water right through substitution of reclaimed or polluted water in lieu of appropriated water is claimed under Section 1010 of the Water Code, please show amounts of reduced diversion and amounts of reclaimed water used.

28. Are you now or have you been reclaiming or reusing any of the water appropriated under this right? YES [ ] NO [ ]. If yes, please describe. _____

29. What is present availability or current potential for using reclaimed water from a wastewater treatment plant or polluted water in place of the appropriated water to satisfy all or part of your water needs?

30. What is the current potential for reusing the appropriated water to satisfy part of your water needs?

31. If you produce reclaimed water, or polluted water, is there a potential for others to use it?

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.

Date _____ Sign Here Gerard Witucki, Chief, Div. of Water Resources, NPS/WRO
LICENSEE (OR AUTHORIZED DESIGNEE)

04-08-1974: Reminder for reporting 1971, 1972 and 1973.

C

Obtained from
SWRCB 11/04.

YOUR "REPORT OF LICENSEE FOR 1971, 1972, AND 1973" HAS NOT BEEN RECEIVED. THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR WATER RIGHT LICENSE AND IS IMPORTANT IN MAINTAINING A RECORD OF THE USE OF WATER UNDER THE LICENSE. IT SHOULD, THEREFORE, BE COMPLETED AND RETURNED TO US PROMPTLY.

PLEASE DISREGARD THIS NOTICE IF YOUR REPORT HAS ALREADY BEEN SUBMITTED.

ATE OF CALIFORNIA – THE RESOURCES AGEN
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

# REPORT OF LICENSEE FOR 1971, 1972, 1973

OWNER OF RECORD:

APPLICATION 13322

S A & ALBERTA SMOOT
19 LA CRESTA DRIVE,
PETALUMA, CALIF 94952

The ranch was sold in July 1972 and S.A. Smoot died in October 1972. It has been sold again and I do not know who owns it now. Alberta Smoot

Telephone Number

If the information shown above is wrong, please correct

SOURCE: OLEMA CREEK

AMOUNT: 13,000 GAL/DAY
PURPOSE: DOMESTIC & INDUSTRIAL

LICENSE 3800

THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE

IMPORTANT! Every License is issued subject to the conditions therein expressed. I have currently reviewed and am complying with the conditions under which this License has been issued. ☐ Yes ☐ No
This report is important in providing the record of use needed in maintaining your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1015, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

The project has been abandoned, and I request revocation of the License. ☐ Yes ☐ No

## DIRECT DIVERSION

1. Have you used the full licensed amount of water each year? ☐ Yes ☐ No
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1971 | | | | | | | | | | | | | |
| 1972 | | | | | | | | | | | | | |
| 1973 | | | | | | | | | | | | | |

## STORAGE

| | 1971 | 1972 | 1973 |
|---|---|---|---|
| 3. Did your reservoir spill this year? | | | |
| 4. How many feet below spillway vertically was the water level at maximum storage? | | | |
| 5. Have you emptied the reservoir? | | | |
| 6. How many feet below spillway vertically was it drawn down at end of season? | | | |

## USE

| | | | |
|---|---|---|---|
| 7. Acreage irrigated<br>Crops grown: | | | |
| 8. Stockwatering – head<br>Kind | | | |
| 9. Domestic – number of persons<br>Garden area, etc. | | | |
| 10. Recreational – nature of use | | | |
| 11. Industrial – nature of use | | | |
| 12. Municipal – approximate population | | | |
| 13. Power generation – H.P. | | | |
| 14. Other | | | |

15. If no water was used in one or more years, briefly state the reason on the reverse side under "Remarks."
16. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change on the reverse side under "Remarks."

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

Date: _____ Sign Here: _____
LICENSEE

WRCB–17(9–73)

**1973**

(Report continues on reverse side)

APR 08 1974
D NODOHARA

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code.

## CONSERVATION OF WATER

17. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program ☐ (2) Lining canals ☐; (3) Phreatophyte and aquatic vegetation control ☐; (4) Other (describe in remarks) ☐.

18. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.), where applicable ☐; (2) Return flow systems on individual farms ☐; (3) Return flow system areawide ☐; (4) Water pricing to encourage reduced use ☐; (5) Charges for drainage of irrigated lands ☐; (6) Other (describe in remarks) ☐;

19. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use ☐; (2) Public education program on water conservation ☐; (3) Pricing to encourage reduced use ☐; (4) Assistance to industry in design of recycle systems ☐; (5) Other (describe in remarks) ☐.

20 What records are maintained on water use and conservation? (1) Loss rate from conveyance system ☐; (2) Water use for major crops by each farm ☐; (3) Other (describe in remarks) ☐.

## WATER QUALITY AND WASTEWATER RECLAMATION

21. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters:

22. After use, the water is (1) retained in reservoir ☐; (2) discharged into a stream or lake ☐; (3) discharged into settling ponds ☐; (4) Other ☐; Describe:

23. Is or will water being discharged contain waste materials? ☐ Yes ☐ No
(1) Domestic ☐; (2) Municipal ☐; (3) Industrial ☐; (4) Agricultural ☐; (5) Other ☐; Describe:

24. Is or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? ☐ Yes ☐ No Describe:

25. Describe what steps you are, have been, or can take to reclaim or directly reuse the water sought being appropriated:

## REMARKS

Please designate by number the question you are answering:

APR 1 12 52 PM '74
STATE WATER RESOURCES CONTROL BOARD SACRAMENTO

(If additional space is needed for remarks, attach numbered sheets.)

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

# REPORT OF LICENSEE FOR 1968, 1969, 1970

OWNER OF RECORD: APPLICATION 13322

S A & ALBERTA SMOOT
19 LA CRESTA DRIVE,
PETALUMA, CALIF 94952

**If the owner or address shown above is wrong, please correct**

SOURCE: OLEMA CREEK

AMOUNT: 13,000 GAL/DAY
PURPOSE: DOMESTIC & INDUSTRIAL

LICENSE 3800

**THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF YOUR LICENSE**

Please fill out carefully and return promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

The project has been abandoned, and I request revocation of the license. ☐ Yes ☑ No

DIRECT DIVERSION

1. Have you used the full licensed amount of water each year? ☑ Yes ☐ No
2. State the quantity of water used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1968 | | | | | | | | | | | | | used every day |
| 1969 | | | | | | | | | | | | | |
| 1970 | | | | | | | | | | | | | |

| STORAGE | 1968 | 1969 | 1970 |
|---|---|---|---|
| 1. Did your reservoir spill this year? | | | |
| 2. How many feet below spillway vertically was the water level at maximum storage? | | | |
| 3. Have you emptied the reservoir? | | | |
| 4. How many feet below spillway vertically was it drawn down at end of season? | | | |
| **USE** | | | |
| 1. Irrigated acres | | | |
| Crops grown: | | | |
| 2. Stockwatering—head | about 25 head of cows | | |
| Kind Dairy stock | adds spring stock fed year round | | |
| 3. Domestic—number persons | 9 persons | | |
| Garden area, etc. | approx 1 acre | | |
| 4. Recreational—nature of use | | | |
| 5. Industrial—nature of use | | | |
| 6. Municipal—approximate population | | | |
| 7. Power generation—H.P. | | | |
| 8. Other | | | |

If no water was used in one or more years, briefly state the reason:

If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change

REMARKS There is a 10,000 gal tank for water pumped from creek for house operation every day
(If more space is needed, use reverse side)

Date Nov. 20, 1970 Sign Here S A Smoot
Licensee

**1970**

DEC 1 '70 J.T.A.

NOV 30 1 45 PM '70
STATE WATER RESOURCES
CONTROL BOARD
SACRAMENTO

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

# Report of Licensee for 1965, 1966 and 1967

OWNER OF RECORD: APPLICATION 13322

Smoot
S A & ALBERTA SMOOT
19 LA CRESTA DRIVE,
PETALUMA, CALIF 94952

**If the owner or address shown above is wrong, please correct**

SOURCE: (1) OLEMA CREEK (2)
(3) (4)
(5) (6)
(7) LICENSE 3800

**THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF THE ABOVE-NUMBERED LICENSE**

1. Please give a specific answer in each of the following spaces in regard to beneficial use of water under the license:

1965: Was water used? Yes What was the maximum rate of diversion (if known)? _____
Purpose (irrigation, domestic, etc.) Milking Cows - Grade A.
Number of units served 275 head
Total acres irrigated, number of stock watered, average number of persons served, etc.
What quantity of water was used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

1966: Was water used? Yes What was the maximum rate of diversion (if known)? ?
Purpose Milking Cows. Grade A.
Number of units served 275 - Head
What quantity of water was used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

1967: Was water used? Yes What was the maximum rate of diversion (if known)? _____
Purpose Milking Cows - Grade A
Number of units served 275 - Head
What quantity of water was used each month 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |

If no water was used in one or more years, briefly state the reason:

2. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change

3. The project has been abandoned, and I request revocation of the license. ☐ Yes · ☒ No

REMARKS
(If more space is needed, use reverse side)

Date 2/10/68 Sign Here S A Smoot
Licensee

Please fill out carefully and return promptly to the State Water Rights Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

1967

SWRB 17 (8-67)

OK
FEB 15 1968

02-10-1968: Report of Licensee for 1965, 1966 and 1967: Permit# , Application# 13322, License# 3800

REMARKS

FEB 14 12 47 PM '68
STATE WATER RESOURCES
CONTROL BOARD
SACRAMENTO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
ROOM 1140, 1416 NINTH STREET
SACRAMENTO 95814

# Report of Licensee for the Years 1962, 1963 and 1964

OWNER OF RECORD: APPLICATION 13322

S A & ALBERTA ~~SMOTT~~ Smoot
~~600~~ MEACHAM ROAD, 19 La Cresta Drive
PETALUMA, CALIF

**Indicate Corrections Above If the Owner or Address Shown Are Incorrect**

SOURCE: (1) OLEMA CREEK (2)
(3) (4)
(5) (6)
(7)

LICENSE 3800

**THIS REPORT IS REQUIRED BY THE TERMS AND CONDITIONS OF THE ABOVE-NUMBERED LICENSE**

1. Please give a specific answer in each of the following spaces in regard to beneficial use of water under the license:

1962: Was water used? Yes Amount (if known) dont know
Purpose (irrigation, domestic, etc.) Domestic & Ito
Season of use (months) 12
Number of units served (acres, persons or ?) 610 Acres

1963: Was water used? Yes Amount (if known) dont know
Purpose Domestic Ito
Season of use 12 months
Number of units served

1964: Was water used? Yes Amount (if known) dont know
Purpose Domestic Ito
Season of use 12 months
Number of units served

If no water was used in one or more of the years, briefly state the reason: —

2. If either the location of the point of diversion or place of use has changed and the permission of this Board has not yet been obtained, please describe nature of change —

3. If the project has been abandoned, please so state and license will be revoked

REMARKS

Date 10/23/64 Sign Here S A Smoot Licensee

Use name and address at left

'64 LEAK

FORM 91

YEAR 1964

NOV 12 1 23 PM '64
STATE WATER RIGHTS BOARD
SACRAMENTO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

# Report of Licensee for the Years 1959, 1960 and 1961

**For the mutual benefit of licensee and the public a report is requested concerning the license noted below. With the information made available thereby this office will be in a position to readily advise licensee concerning new applications to appropriate from the same source or any other matters which might affect this appropriation. And if the report is carefully made it will enable this office to protect the owner of the license from any possibility of jeopardizing his rights under the license by reason of unauthorized changes in location of point of diversion or place of use, or otherwise. May we therefore have from you promptly a report upon the following matters? The reverse side of this sheet may be used if the spaces provided are inadequate.**

THIS REPORT SHOULD COVER USE BY ALL RECORD HOLDERS OF THIS LICENSE

SOURCE Olema Creek APPLICATION 13322

LICENSE 3800

1. Names of all present holders of this license S A Smoot & Albert Smoot - Estate
   Address 600 Meacham Rd - Petaluma, Calif
2. Was beneficial use of water made under this license in 1959? Yes. In 1960? Yes. In 1961? Yes. If no use of water was made in any one or more of the past three years please state the reason
3. Describe briefly the use of water made during the past three years by all users under the license, indicating (a) the purposes for which used, i.e., power, municipal, mining, industrial, recreational, irrigation, domestic, etc.; (b) the season (particular months) of use; and (c) the amount, if known, and the extent of use, i.e., if for irrigation, give number of acres irrigated, if for domestic use give number of persons served, etc.,
   For Dairy operation - Cows & Heifers on Ranch
4. If either the location of point of diversion or place of use has been changed and the permission of this office has not yet been obtained, please describe nature of change
5. If the project has been abandoned, please so state and license will be revoked

A A Smoot
Licensee

Date Oct 1st 1961

(OVER)

OK
OCT 5 1961

FORM 91

YEAR 1961

44092-E 6-61 3M SPO

**NOTE**

This space may be used for amplification of statements on the reverse side or other matters pertinent to this license.

OCT 6 7 48 AM '61
STATE WATER RIGHTS BOARD
SACRAMENTO

DO NOT WRITE IN THIS SPACE

08-17-1953: License for Diversion and Use of Water

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

# License for Diversion and Use of Water

APPLICATION 13322 PERMIT 7889 LICENSE 3800

THIS IS TO CERTIFY, *That* S. A. Smoot and Alberta Smoot
137 Kentucky Street
Petaluma, California
*has* Notice of Change (Over)
*made proof as of* June 24, 1952
*(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of* Olema Creek in Marin County

*tributary to* Tomales Bay

*for the purpose of* domestic and industrial uses
*under Permit* 7889 *of the Department of Public Works and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from* August 31, 1949; *and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed* thirteen thousand (13,000) gallons per day to be diverted from January 1 to December 31 of each year.

*The point of diversion of such water* is *located* south eleven degrees west (S11°W) seven hundred five (705) feet from center of bridge of State Route 1 over Olema Creek being within SE¼ of NW¼ of projected Section 28, T 2 N, R 8 W, MDB&M.

*A description of the lands or the place where such water is put to beneficial use is as follows:*
SE¼ of NW¼ and NE¼ of NW¼ of projectedSection 28, T 2 N, R 8 W, MDB&M.

*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 Department acting through the State Engineer 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.*

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

*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.*

FORM 64

-2-

*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 Department.

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 can not 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.

*Witness my hand and the seal of the Department of Public Works of the State of California, this* 17th *day of* August, *19* 53

A. D. EDMONSTON, *State Engineer*

By Harvey O. Banks
Assistant State Engineer

8 17 53 Recorded at request of Miss Mildred Eddleman

LICENSE 3800
STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO S. A. Smoot, et al

DATED

40801 7-51 3M STATE PRINTING OFFICE

**Land History**

Form 10-114
(Rev. March 1971)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE


permit consists of 4 pages including attachments.

# SPECIAL USE PERMIT

POINT REYES NATIONAL SEASHORE
POINT REYES, CALIFORNIA 94956
(Area)

| PERMIT NO. | EXPIRES |
|---|---|
| 8530-6-0018 | 4/30/91 |
| PREVIOUS PERMIT NO. 8530-246 | |

Ralph & Margaret Giacomini, of P. O. Box 133, Olema, California 94950 is hereby authorized during the period from May 1, 1986, through April 30, 1991, to use the following-described land in the above-named area:
Three units as follow:

1. The Sieroty Ranch (GGNRA Tract No. 04-103), consisting of 1,305 acres more or less. Fee is based on the use of 535 acres suitable for grazing as a large portion of the area is forested and brushy.

2. The Connelly Ranch (GGNRA Tract No. 04-104) consisting of 527 acres more or less, excluding the residence property, of which 275 acres are suitable for grazing.

3. The residence property of the Connelly Ranch (GGNRA Tract No. 04-104).

for the purpose of

1. Residential use and occupancy in association with operation of a beef cattle ranch, at a rental fee of $325.00 per month.

2. Grazing cattle at 1140 AUM's (95 Animal Units per Year) at a rate of $5.00 per AUM for a monthly payment at $475.00.

810 grazable ac ; ≈ 8.5 ac/AU/yr

ect to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United s of the sum of NINE THOUSAND, SIX HUNDRED & 00/100---------- Dollars ($ 9600.00 ), dvance ---------- (Monthly, semiannually, etc.), or as follows: at monthly payments ~~$800.00~~.

ment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to National Park Service, or Cash.

ed at Point Reyes, California (City), this 24th day of June, 1986

John L. Sansing
John L. Sansing, Superintendent.

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

| TWO WITNESSES TO SIGNATURES | * PERMITTEE (Signature) |
|---|---|
| NAME D J Jes Co | NAME Ralph Giacomini |
| ADDRESS P.O. Box 8 Olema Ca 94950 | ADDRESS Box 133 Olema Ca. 94950 |
| NAME Seth J Bhaten | NAME Margaret R. Giacomini |
| ADDRESS P.O. Box 192, Olema CA 94950 | ADDRESS same |

APPROVED: (If approval is required by higher authority)

| NAME | TITLE | DATE |
|---|---|---|
| | | |

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

16—00000-0

Distribution—To Superintendent's File

PORS

# ADMINISTRATIVE CERTIFICATE

WHEREAS, the United States of America has contracted to purchase Tract No. 04-104 _____ in the Golden Gate NRA from Wells Fargo Bank for the price of _____ and

WHEREAS, the United States Attorney General has listed as objections to title the following outstanding rights held by third parties which are:

**Rights and easements as reserved in that certain Quit Claim Deed dated January 13, 1972 from S. A. Smoot and Alberta Smoot to S. A. Smoot and Alberta Smoot, as Co-Trustee's recorded January 17, 1972 in Book 2534 of Official Records at page 168, Marin County Records.**

Upon examination of these outstanding rights, I have determined that these rights are not objectionable and will not interfere with the United States' contemplated use of the property.

3/15/74
Date

Superintendent

1663

Recording requested by:

S. A. Smoot and
Alberta Smoot

When recorded mail to:

S.A. Smoot and
Alberta Smoot
19 La Cresta Drive
Petaluma, California 94952

RECORDED AT REQUEST OF
S. A. SMOOT
AT 47 MIN. PAST 11 A.M.
JAN 17 1972
Official Records of Marin County, Calif.
N.J. Giacomini
RECORDER
FEE $ 2.80

1663

BOOK 2534 PAGE 168

Space above this line for Recorder's use

Mail Tax Statements to:

S. A. Smoot and
Alberta Smoot
19 La Cresta Drive
Petaluma, California 94952

NO DOCUMENTARY TRANSFER TAX DUE

QUITCLAIM DEED

By this instrument dated January 13, 1972, for a valuable consideration,

S. A. SMOOT and ALBERTA SMOOT as grantors

do hereby REMISE, RELEASE, and FOREVER QUITCLAIM to

S.A. SMOOT and ALBERTA SMOOT, as Co-Trustees

of that certain Declaration of Trust, executed on November 3, 1971

the following described real property, situated in the County of Marin, State of California:

Beginning on Olema Creek formerly known as the Creek of Olema Lake where the County Road leading from the Town of Olema to Bolinas crosses said creek, from which point the School House Door bears North 77° West; thence South 21 3/4° East 4.64 chains; thence North 86 1/2° East 3.99 chains to a small oak, North 76 3/4° East 41.83 chains to a stake. Oak Tree blazed 57 links Easterly from said tree North 60 3/4° East 73.27 chains to fence and summit of ridge; thence along said ridge South 35 1/4° East 32.25 chains to the boundary of Mrs. Randell's land, described in Book C of Deeds, at page 94, Marin County Records; thence following said line South 48° West 113.50 chains to Olema Creek; thence down said creek to the point of beginning. (614.36 acres, more or less)

Reserving to the Grantors a perpetual and assignable easement and right-of-way in, on, over and across the above described land for ingress and egress, to maintain, replace and repair a water pipe and facilities. The location, term and conditions for said water line is set forth in License No. 3800, from the State of California, to S. A. Smoot and Alberta Smoot dated June 24, 1952, for the diversion of 13,000 gallons of water per day from Olema Creek, from January 1 to December 31 of each year. Said license was filed in the Official Records of Marin County on August 13, 1953 under Recorder's Serial No. 13994.

EXCEPTIONS:

1. That certain portion of the following described parcel of land lying Westerly of the Western line of State Highway No. 1 formerly known as the County Road from Bolinas to Olema, as shown on "Record of Survey, Point Reyes National Seashore" filed December 20, 1963 in Book 3 of Surveys at page 56, Marin County Records. The land herein above described contains 84 acres, more or less.

2. The right to extend and maintain culverts and slopes for cuts and



1663
JAN 17 1972

BOOK 2534 PAGE 168

fills adjacent to the Olema to Bolinas Road as granted to the County of Marin by instrument recorded February 15, 1928 in Book 139 of Official Records at page 257. (3.60 acres)

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads, pipelines, ditches, canals and the following encumbrances:

A. Any change in the Southwesterly and Northwesterly boundary lines of the herein described property that has occurred or that may hereafter occur by natural means and by imperceptible degrees.

B. An unrecorded lease between the Grantors and Ralph and Margaret Giaconimi, Lessee. Said lease expires September 1, 1973.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainders, and issues thereof.

Together with the buildings and improvements thereon and all rights and appurtenances thereto.

S. A. SMOOT

ALBERTA SMOOT

STATE OF CALIFORNIA )
COUNTY OF Sonoma ) SS.

On JANUARY 13, 1972, before me, the undersigned, a Notary Public in and for said County and State, personally appeared S. A. SMOOT and ALBERTA SMOOT, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for said County and State

OFFICIAL SEAL
VICTOR E. FAUSER
NOTARY PUBLIC-CALIFORNIA
SONOMA COUNTY
My Commission Expires May 27, 1973

11 Washington St., Petaluma, Calif. 94952

16163
JAN 17 1972

Page 2 of 2 pages

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01-15-1974: Administrative Certificate

ADMINISTRATIVE CERTIFICATE

WHEREAS, the United States of America has contracted to purchase Tract No. 04-104 in the Golden Gate NRA from Wells Fargo Bank, Trustee for the price of $421,600 and

WHEREAS, the United States Attorney General has listed as objections to title the following outstanding rights held by third parties which are:

**The lease dated April 18, 1972 from Mill Enterprises, Inc., by John F. Connolly, President, to Ralph Giacomini, recorded May 2, 1972, in Book 2564 of Official Records at page 128.**

Upon examination of these outstanding rights, I have determined that these rights are not objectionable and will not interfere with the United States' contemplated use of the property.

Date 1/15/74

Superintendent

lifornia Land Title Company
27555 Cb

15691

THIS IS MORE THAN A RECEIPT FOR MONEY OR PRELIMINARY MEMORANDUM. IT WILL AFFECT YOUR LEGAL RIGHTS. READ IT CAREFULLY.

15691 RECORDED AT REQUEST OF CALIFORNIA LAND TITLE COMPANY AT — MIN. PAST 4 M. MAY - 2 1972 Official Records of Marin County, Calif. N. J. Giacomini COUNTY RECORDER FEE $ 6.00

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# LEASE — GENERAL FORM

TRACT 04-104 G6NRA

**This Lease,** executed in duplicate at San Francisco, California, this 18th day of April, 1972, by and between MILL ENTERPRISES INC.

and RALPH GIACOMINI AND MARGARET GIACOMINI, HIS WIFE

hereinafter called respectively Lessor and Lessee, without regard to number or gender,

WITNESSETH: That Lessor hereby leases to Lessee, and Lessee hires from Lessor, for the purpose of conducting therein A GENERAL DAIRY BUSINESS

and for no other purpose, those certain premises with the appurtenances, situated in approximately four miles south of the town of Olema, State of California, and more particularly described as follows, to-wit: County of Marin,

All that certain real property and improvements commonly known as "Smoot Ranch" of approximately 526.76 acres, also known as Assessor's Parcel #188-020-05.

The term shall be for TWO (2) years FOUR (4) months ~~each~~, commencing on the 1st day of May, 1972, and ending on the 31st day of August, 1974, at the total rent or sum of ELEVEN THOUSAND TWO HUNDRED AND NO/100THS ($ 11,200.00) Dollars, lawful money of the United States of America, which Lessee agrees to pay to Lessor, without deduction or offset, at such place or places as may be designated from time to time by Lessor, in installments as follows:

Eight Hundred and No/100ths ($800.00) Dollars thereof upon the execution of this lease representing rent for the 1st month and a refundable deposit in the amount of Four Hundred and No/100ths ($400.00) Dollars upon satisfactory completion of the lease; and Four Hundred and No/100ths ($400.00) Dollars thereafter on or before the 1st day of each and every month during the term of this lease.

It is further mutually agreed between the parties as follows:

1. If Lessor, for any reason whatsoever, cannot deliver possession of the said premises to Lessee at the commencement of the said term, as hereinbefore specified, this lease shall not be void or voidable, nor shall Lessor be liable to Lessee for any loss or damage resulting therefrom; but in that event there shall be a proportionate deduction of rent covering the period between the commencement of the said term and the time when Lessor can deliver possession.

2. Lessee shall not use, or permit said premises, or any part thereof, to be used, for any purpose or purposes other than the purpose or purposes for which the said premises are hereby leased; ~~and no use or purpose shall be made or permitted to be made of the said premises, nor acts done, which will increase the existing rate of insurance upon the building or which said premises may be located, or cause a cancellation of any insurance policy covering said building, or any part thereof, nor shall Lessee sell, or permit to be kept, used, or sold, in or about said premises, any article which may be prohibited by the standard form of fire insurance policies.~~ Lessee shall, at his sole cost and expense, comply with any and all requirements, pertaining to said premises, of any insurance organization or company, necessary for the maintenance of reasonable ~~fire and~~ public liability insurance, covering said ~~building~~ premises and appurtenances.

3. ~~Lessee shall not commit, or suffer to be committed, any waste upon the said premises, or any nuisance or other act or thing which may disturb the quiet enjoyment of any other tenant in any building in which the premises may be located. Lessee shall not make any alterations or additions to the said premises or any part thereof without the written consent of Lessor first had and obtained, and any alterations or additions of the said premises, except movable furniture and trade fixtures, shall become at once a part of the realty and belong to Lessor.~~

4. Lessee shall not vacate or abandon the premises at any time during the term; and if Lessee shall abandon, vacate or surrender said premises, or be dispossessed by process of law, or otherwise, any personal property belonging to Lessee and left on the premises shall be deemed to be abandoned, at the option of Lessor, except such property as may be under a security agreement with Lessor.

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5. Lessee shall, at his sole cost, keep and maintain said premises and appurtenances and every part thereof [exceptin...] including windows, doors and [...] in good and sanitary order, condition and repair. [...] By entry hereunder, Lessee accepts the premises as being in good and sanitary order, condition and repair and agrees on the last day of said term, or sooner termination of this lease, to surrender unto Lessor all and singular said premises with said appurtenances in the same condition as when received, reasonable use and wear thereof and damage by fire, act of God or by the elements excepted, and to remove all of Lessee's signs from said premises.

6. Lessee shall keep the demised premises and the property in which the demised premises are situated, free from any liens arising out of any work performed, materials furnished, or obligations incurred by Lessee.

7. Lessee shall, at his sole cost and expense, comply with all of the requirements of all Municipal, State and Federal authorities now in force, or which may hereafter be in force, pertaining to the said premises, and shall faithfully observe in the use of the premises all Municipal ordinances and State and Federal statutes now in force or which may hereafter be in force. The judgment of any court of competent jurisdiction, or the admission of Lessee in any action or proceeding against Lessee, whether Lessor be a party thereto or not, that Lessee has violated any such ordinance or statute in the use of the premises, shall be conclusive of that fact as between Lessor and Lessee.

8. Lessee, as a material part of the consideration to be rendered to Lessor, hereby waives all claims against Lessor for damages to goods, wares and merchandise, and all other personal property in, upon or about said premises and for injuries to persons in or about said premises, from any cause arising at any time, and Lessee will hold Lessor exempt and harmless from any damage or injury to any person, or to the goods, wares and merchandise and all other personal property of any person, arising from the use of the premises by Lessee, or from the failure of Lessee to keep the premises in good condition and repair, as herein provided.

9. Lessee shall not conduct or permit to be conducted any sale by auction on said premises. Lessee shall not place or permit to be placed any projecting sign, marquee or awning on the front of the said premises without the written consent of Lessor; Lessee, upon request of Lessor, shall immediately remove any sign or decoration which Lessee has placed or permitted to be placed in, on, or about the front of the premises and which, in the opinion of Lessor, is objectionable or offensive, and if Lessee fails so to do, Lessor may enter upon said premises and remove the same. [...] Lessee shall not place or permit to be placed upon the said premises [...] any sign, advertisement or notice without the written consent of Lessor.

10. Lessee shall pay for all water, gas, heat, light, power, telephone service and all other service supplied to the said premises.

11. Lessee shall permit Lessor and his agents to enter into and upon said premises at all reasonable times [...] situated, or for the purpose of making repairs, alterations or additions to any other portion of said building, including the erection and maintenance of such scaffolding, canopies, fences and props as may be required, or for the purpose of posting notices of non-responsibility for alterations, additions, or repairs, or for the purpose of placing upon the property in which the said premises are located any usual or ordinary "for sale" signs, without any rebate of rent and without any liability to Lessee for any loss of occupation or quiet enjoyment of the premises thereby occasioned; and shall permit Lessor and his agents, at any time within thirty days prior to the expiration of this lease, to place upon said premises any usual or ordinary "to let" or "to lease" signs and exhibit the premises to prospective tenants at reasonable hours. for any purpose including installation of roads, utilities and subdividing.

12. [In the event of a partial destruction of the...] shall forthwith repair the same, provided such repairs can be made within sixty (60) days under the laws and regulations of State, Federal, County or Municipal authorities, but such partial destruction shall in no wise annul or void this lease, except that Lessee shall be entitled to a proportionate deduction of rent while such repairs are being made, such proportionate deduction to be based upon the extent to which the making of such repairs shall interfere with the business carried on by Lessee in the said premises. If such repairs cannot be made in sixty (60) days, Lessor may, at his option, make same within a reasonable time, this lease continuing in full force and effect and the rent to be proportionately rebated as aforesaid in this paragraph provided. In the event that Lessor does not so elect to make such repairs which cannot be made in sixty (60) days, or such repairs cannot be made under such laws and regulations, this lease may be terminated at the option of either party. In respect to any partial destruction which Lessor is obligated to repair or may elect to repair under the terms of this paragraph, the provisions of Section 1932, Subdivision 2, and of Section 1933, Subdivision 4, of the Civil Code of the State of California are waived by Lessee. In the event that the building in which the demised premises may be situated be destroyed to the extent of not less than 33 1/3% of the replacement cost thereof, Lessor may elect to terminate this lease, whether the demised premises be injured or not. A total destruction of the building in which the said premises may be situated shall terminate this lease. In the event of any dispute between Lessor and Lessee relative to the provisions of this paragraph, they shall each select an arbitrator, the two arbitrators so selected shall select a third arbitrator and the three arbitrators so selected shall hear and determine the controversy and their decision thereon shall be final and binding upon both Lessor and Lessee, who shall bear the cost of such arbitration equally between them.

13. Lessee shall not assign this lease, or any interest therein, and shall not sublet the said premises or any part thereof, or any right or privilege appurtenant thereto, or suffer any other person (the agents and servants of Lessee excepted) to occupy or use the said premises, or any portion thereof, without the written consent of Lessor first had and obtained, and a consent to one assignment, subletting, occupation or use by any other person, shall not be deemed to be a consent to any subsequent assignment, subletting, occupation or use by another person. Any such assignment or subletting without such consent shall be void, and shall, at the option of Lessor, terminate this lease. This lease shall not, nor shall any interest therein, be assignable, as to the interest of Lessee, by operation of law, without the written consent of Lessor.

14. Either (a) the appointment of a receiver [...] possession of all or substantially all of the assets of Lessee, or (b) a general assignment by Lessee for the benefit of creditors, or (c) any action taken or suffered by Lessee under any insolvency or bankruptcy act shall constitute a breach of this lease by Lessee. Upon the happening of any such event this lease shall terminate (10) days after written notice of termination from Lessor to Lessee.

15. In the event of any breach of this lease by Lessee, then Lessor besides other rights or remedies he may have, shall have the immediate right of re-entry and may remove all persons and property from the premises; such property may be removed and stored in a public warehouse or elsewhere at the cost of, and for the account of Lessee. Should Lessor elect to re-enter, as herein provided, or should he take possession pursuant to legal proceedings or pursuant to any notice provided for by law, he may either terminate this lease or he may from time to time, without terminating this lease, re-let said premises or any part thereof for such term or terms (which may be for a term extending beyond the term of this lease) and at such rental or rentals and upon such other terms and

BOOK 2564 PAGE 129

conditions as Lessor in his sole discretion may deem advisable with the right to make alterations and repairs to said premises; upon each such re-letting (a) Lessee shall be immediately liable to pay to Lessor, in addition to any indebtedness other than rent due hereunder, the cost and expenses of such re-letting and of such alterations and repairs, incurred by Lessor, and the amount, if any, by which the rent reserved in this lease for the period of such re-letting (up to but not beyond the term of this lease) exceeds the amount agreed to be paid as rent for the demised premises for such period on such re-letting; or (b) at the option of Lessor rents received by such Lessor from such re-letting shall be applied: first, to the payment of any indebtedness, other than rent due hereunder from Lessee to Lessor; second, to the payment of any costs and expenses of such re-letting and of such alterations and repairs; third, to the payment of rent due and unpaid hereunder and the residue, if any, shall be held by Lessor and applied in payment of future rent as the same may become due and payable hereunder. If Lessee has been credited with any rent to be received by such re-letting under option (a), and such rent shall not be promptly paid to Lessor by the new tenant, or if such rentals received from such re-letting under option (b) during any month be less than that to be paid during that month by Lessee hereunder, Lessee shall pay any such deficiency to Lessor. Such deficiency shall be calculated and paid monthly. No such re-entry or taking possession of said premises by Lessor shall be construed as an election on his part to terminate this lease unless a written notice of such intention be given to Lessee or unless the termination thereof be decreed by a court of competent jurisdiction. Notwithstanding any such re-letting without termination, Lessor may at any time thereafter elect to terminate this lease for such previous breach. Should Lessor at any time terminate this lease for any breach, in addition to any other remedy he may have, he may recover from Lessee all damages he may incur by reason of such breach, including the cost of recovering the premises, and including the worth at the time of such termination of the excess, if any, of the amount of rent and charges equivalent to rent reserved in this lease for the remainder of the stated term over the then reasonable rental value of the premises for the remainder of the stated term, all of which amounts shall be immediately due and payable from Lessee to Lessor.

16. The voluntary or other surrender of this lease by Lessee, or a mutual cancellation thereof, shall not work a merger, and shall, at the option of Lessor, terminate all or any existing subleases or subtenancies, or may, at the option of Lessor, operate as an assignment to him of any or all such subleases or subtenancies.

17. In case suit shall be brought for an unlawful detainer of the said premises, for the recovery of any rent due under the provisions of this lease, or because of the breach of any other covenant herein contained, on the part of Lessee to be kept or performed, Lessee shall pay to Lessor a reasonable attorney's fee which shall be fixed by the court.

18. ~~A receiver be appointed at the instance of Lessor in any action against Lessee to take possession of~~ said premises and/or to collect the rents or profits derived therefrom, if the premises be a rooming house, hotel or apartment house, the receiver may, if it be necessary or convenient in order to collect such rents and profits, conduct the business of Lessee then being carried on in said premises and may take possession of any personal property belonging to Lessee and used in the conduct of such business, and may use the same in conducting such business on the premises without compensation to Lessee for such use. Neither the application for the appointment of such receiver, nor the appointment of such a receiver, shall be construed as an election on Lessor's part to terminate this lease unless a written notice of such intention is given to Lessee.

19. All notices to be given to Lessee may be given in writing personally or by depositing the same in the United States mail, postage prepaid, and addressed to Lessee at the said premises, whether or not Lessee has departed from, abandoned or vacated the premises.

20. If any security be given by Lessee to secure the faithful performance of all or any of the covenants of this lease on the part of Lessee, Lessor may transfer and/or deliver the security, as such, to the purchaser of the reversion, in the event that the reversion be sold, and thereupon Lessor shall be discharged from any further liability in reference thereto.

21. The waiver by Lessor of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or any subsequent breach of the same or any other term, covenant or condition therein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed to be a waiver of any preceding breach by Lessee of any term, covenant or condition of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceeding breach at the time of acceptance of such rent.

22. Any holding over after the expiration of the said term, with the consent of Lessor, shall be construed to be a tenancy from month to month, at a rental of FOUR HUNDRED AND NO/100THS ($ 400.00 ) Dollars a month, and shall otherwise be on the terms and conditions herein specified, so far as applicable.

23. The covenants and conditions herein contained shall, subject to the provisions as to assignment, apply to and bind the heirs, successors, executors, administrators and assigns of all of the parties hereto; and all of the parties hereto shall be jointly and severally liable hereunder.

24. Time is of the essence of this lease.

25. The captions in the margins of this lease are for convenience only and are not a part of this lease and do not in any way limit or amplify the terms and provisions of this lease.

Paragraphs 26 and 27 were attached to and made a part hereof prior to its execution by all parties hereto.

IN WITNESS WHEREOF, Lessor and Lessee have executed these presents, the day and year first above written.

| LESSOR | LESSEE |
|---|---|
| MILL ENTERPRISES, INC. | Ralph D. Giacomini |
| By John F. Connelly Jr. | RALPH GIACOMINI |
| By | Margaret K. Giacomini |
| | MARGARET GIACOMINI |

CONSULT YOUR ATTORNEY — This document has been prepared for submission to your attorney for his approval. If he finds the same satisfactory from the standpoint of protection of your legal rights. No representation or recommendation is made by broker or its agents or employees as to the legal sufficiency, legal effect or tax consequences of this document or the transaction relating thereto. These are questions for your attorney.

BROKER IS NOT AUTHORIZED TO GIVE LEGAL OR TAX ADVICE. IF YOU DESIRE LEGAL OR TAX ADVICE CONSULT YOUR ATTORNEY BEFORE SIGNING.

BOOK 2564 PAGE 130

26. This lease may be terminated by Lessor or Lessee with 120 days prior written notice without penalty to either party.

27. Lessee shall be entitled to the hunting and fishing priviledges personally, but they shall not let or rent the same for hunting and fishing purposes. Lessor shall be entitled to hunt and fish on the premises.

STATE OF CALIFORNIA,
County of Marin } ss.
On this 2nd day of May in the year one thousand nine hundred and seventy-two before me, the undersigned a Notary Public, State of California, duly commissioned and sworn, personally appeared Ralph Giacomini and Margaret Giacomini
known to me to be the person S whose name S are subscribed to the within instrument and acknowledged to me that t he y executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the County of Marin the day and year in this certificate first above written

OFFICIAL SEAL
JANET E. SHOUNDER
NOTARY PUBLIC - CALIFORNIA
MARIN COUNTY
My Commission Expires Jan. 28, 1973

Janet E. Shounder
Notary Public, State of California

My Commission Expires

Notary's Form No. 32—Acknowledgment—General. C. Sec. 1190a)

Marin } ss.

On May 2 19 72
Before me, the undersigned, a Notary Public in and for said State, personally appeared John F. Connelly, Jr.
known to me to be
President
of the Hill Enterprises, Inc.
the Corporation that executed the within Instrument, known to me to be the person who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the same.
Witness my hand and official seal.

OFFICIAL SEAL
JANET E. SHOUNDER
NOTARY PUBLIC - CALIFORNIA
MARIN COUNTY
My Commission Expires Jan. 28, 1973

Janet E. Shounder
Janet E. Shounder
Notary Public in and for said County and State

1972

## Taxes

The ranch appraised includes Marin County Assessor's Parcels 188-030-01, 188-030-04 and 188-030-06. Total taxes for the year 1972-73 are in the amount of $14,828.10.

Parcel 188-030-05 is noted to be included in the title report for this ranch as shown in The Addenda of this report. However, that parcel is within the Point Reyes Seashore Project and not appraised here.

## Zoning

The present zone designation assigned the land appraised is A-2. Uses allowed within this zone are for limited agriculture and basically all those uses permitted in R-1, or single family dwelling zones. Lot areas are restricted to two acres in size according to Marin County zoning specifications for A-2 zones.

The chapter pertaining to A-2 zoning for Marin County is included in the Addenda of this report.

## History

The ranch was acquired approximately fifteen years ago by the present owners for investment and recreation purposes. The transfer is recorded in Marin County Official Records Volume 1210, Page 113. There are no recent transfers for the property which aid as indicators to its present fair market value.

## Improvements

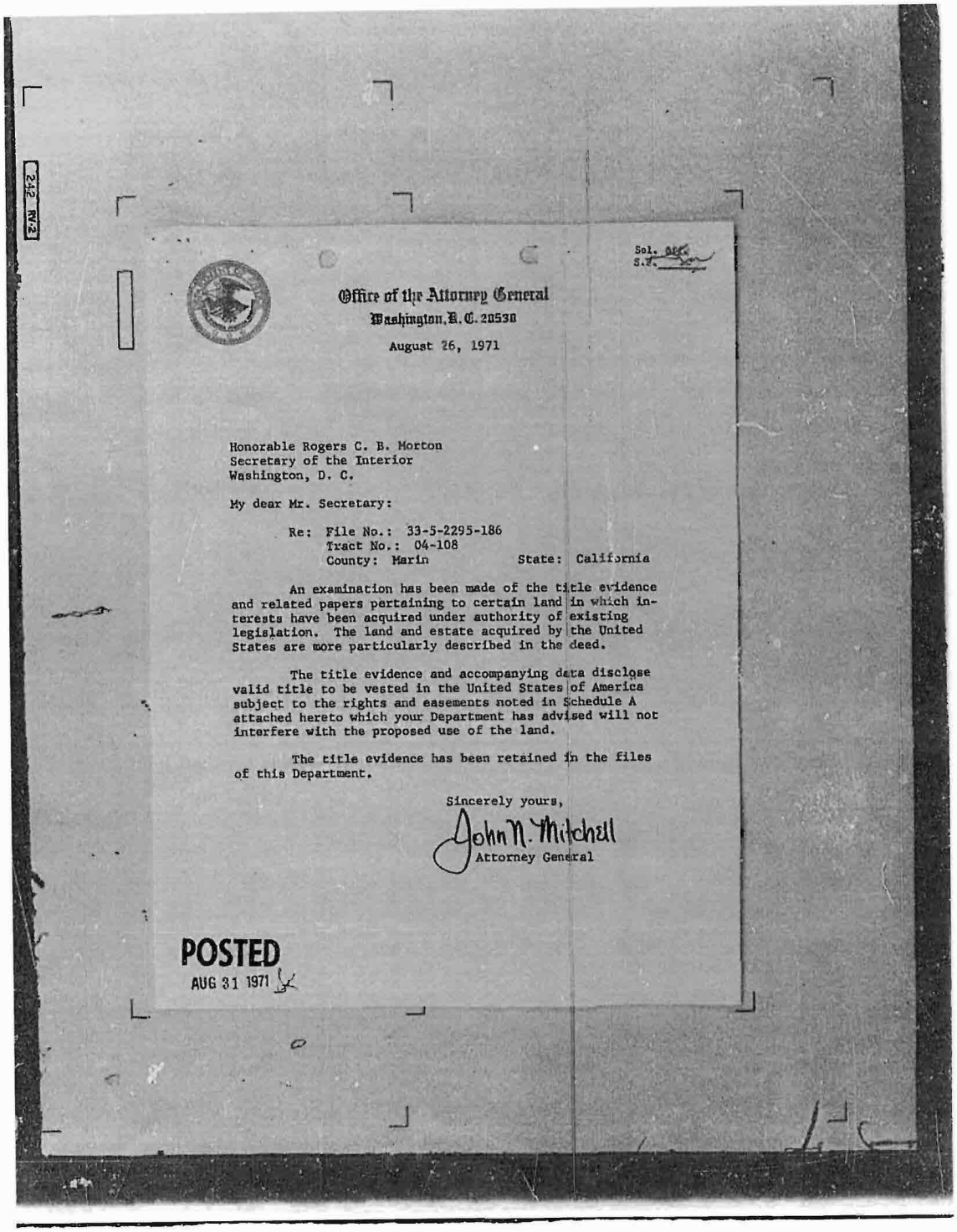
The ranch is improved with an older two story house, barn and garage in the headquarters area. A well and septic system serve this area for water and sewage disposal needs.

South of the headquarters area there is a cabin and two reservoirs. Fencing and rough road grading are the only other improvements on the property.

Descriptions and sizes of the improvement items are noted on the following page.

Pore

08-26-1971: Title Evidence



242 RW2

Sol. Off.
S.T.

Office of the Attorney General
Washington, D. C. 20530

August 26, 1971

Honorable Rogers C. B. Morton
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Re: File No.: 33-5-2295-186
Tract No.: 04-108
County: Marin State: California

An examination has been made of the title evidence and related papers pertaining to certain land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule A attached hereto which your Department has advised will not interfere with the proposed use of the land.

The title evidence has been retained in the files of this Department.

Sincerely yours,

John N. Mitchell
Attorney General

POSTED
AUG 31 1971

242 RN-2

SCHEDULE A

File No.: 33-5-2295-186

Tract No.: 04-108

Project: Point Reyes National Seashore located in Marin County, California

Estate Acquired: Fee

Acreage: 84.00

Total Consideration: $110,000.00

The deed to the United States of America was executed by S. A. Smoot, et ux., on May 24, 1971, filed for record on June 3, 1971, and recorded in Book 2468, at page 610.

The title insurance policy No. 50140 was prepared as of November 10, 1970, and extended to June 3, 1971, by Transamerica Title Insurance Company.

The title is subject to the following:

1. Existing easements for public roads and highways, rights of way for railroads, pipelines and public utilities.

2. Reservation by the grantors of a perpetual easement as set forth in the deed to the United States.

3. Any change in the Southwesterly and Northwesterly boundary lines of the herein described property that has occurred or that may hereafter occur by natural means and by imperceptible degrees.

4. The right to extend and maintain culverts and slopes for cuts and fills adjacent to the Olema to Bolinas Road, as granted to the County of Marin by instrument recorded February 15, 1928 in Book 139 of Official Records at page 257.

5. A "license for diversion and use of water" from Olema Creek in favor of S. A. Smoot and Alberta Smoot, filed August 19, 1953, under Recorder's Serial No. 13994.

6. An unrecorded lease between S. A. Smoot, et ux., and Ralph and Margaret Giaconimi, due to expire September 1, 1973.

It is to be noted that the title policy excepts from its coverage any portion of the subject property lying Westerly of the Easterly line of Olema Creek formerly known as the Creek of Olema Lake and Olema Lake Creek. The opinion is accordingly so limited.

05-24-1971: Grant Deed

910 "D" Street - P. O. Box 421
San Rafael, California 9 1

Point Reyes National Seashore
Tract No. 04-108

POLE
04-108=84a

GGGA
04-104=526.76a

17979

GRANT DEED

S. A. SMOOT AND ALBERTA SMOOT, husband and wife, in consideration of ONE HUNDRED TEN THOUSAND AND NO/100 ($110,000.00) DOLLARS, to them in hand paid, receipt of which is hereby acknowledged, do hereby grant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Marin, State ofCalifornia, to wit:

That certain portion of the following described parcel of land lying Westerly of the Western line of State Highway No. 1 formerly known as the County Road from Bolinas to Olema, as shown on "Record of Survey, Point Reyes National Seashore" filed December 20, 1963 in Book 3 of Surveys at page 56, Marin County Records.

BEGINNING on Olema Creek formerly known as the Creek of Olema Lake, where the County Road leading from the Town of Olema to Bolinas crosses said creek, from which point the School House Door bears North 77° West; thence South 21 3/4° East 4.64 chains; thence North 86 1/2° East 3.99 chains to a small oak, North 76 3/4°East 41.83 chains to a stake. Oak Tree blazed 57 links Easterly from said tree North 60 3/4° East 73.27 chains to fence and summit of ridge; thence along said ridge South 35 1/4° East 32.25 chains to the boundary of Mrs. Randell's land, described in Book C of Deeds, at page 94, Marin County Records; thence following said line South 48° West 113.50 chains to Olema Creek; thence down said creek to the point of beginning.

RESERVING to the Grantors a perpetual and assignable easement and right-of-way in, on, over and across the above described land for ingress and egress, to maintain, replace and repair a water pipe and facilities. The location, term and conditions for said water line is set forth in License No. 3800, from the State of California, to S. A. Smoot and Alberta Smoot dated June 24, 1952, for the diversion of 13,000 gallons of water per day from Olema Creek, from January 1 to December 31 of each year.

Said license was filed in the Official Records of Marin County on August 13, 1953 under Recorder's Serial No. 13994.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads, pipelines, ditches, canals and the following encumbrances:

A. Any change in the Southwesterly and Northwesterly boundary lines of the herein described property that has occurred or that may hereafter occur by natural means and by imperceptible degrees.

B. The right to extend and maintain culverts and slopes for cuts and fills adjacent to the Olema to Bolinas Road as granted to the County of Marin by instrument recorded February 15, 1928 in Book 139 of Official Records at page 257.

C. A "License for diversion and use of water" from Olema Creek in favor of S. A. Smoot and Alberta Smoot, filed August 19, 1953 under Recorder's Serial No. 13994.

D. An unrecorded lease between the Grantors and Ralph and Margaret Giaconimi, Lessee. Said lease expires September 1, 1973.

The land hereinabove described contains 84.00 acres, more or less.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, and issues thereof.

TOGETHER WITH the buildings and improvements thereon and all rights and appurtenances thereto.

17979 AT — MIN. PAST 12 M.
JU. 1971
Official Records of Marin County, Calif.
N. J. Giacomini
FEE $ 2.80 RECORDER

TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever.

And said Grantors for themselves and their heirs, executors, administrators and assigns, do hereby covenant with the UNITED STATES OF AMERICA that they are now seized in fee simple of the property hereby granted; that the said UNITED STATES OF AMERICA shall enjoy the same without any lawful disturbances; that title to the property hereby conveyed is free from any encumbrances except as noted above.

The Grantors further remise, release and forever quit claim to the UNITED STATES OF AMERICA and its assigns, all right, title and interest which the Grantors may have in ~~the banks, beds and waters of any streams bordering the said land to be conveyed and also all interest~~ in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

The land is being acquired by the Department of the Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hand this 24 day of May, 1971.

DOCUMENTARY TRANSFER TAX $ None
— Computed on full value of property conveyed,
— OR Computed on full value less liens and encumbrances remaining at time of sale.
Signature of Declarant or Agent determining tax.
Firm Name Marin Title Insurance Co.

S. A. Smoot

Alberta Smoot

County of Sonoma

State of California

On this 24 day of May, 1971, before me _____

EMMETT S. DADO, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared S.A. SMOOT and ALBERTA SMOOT _____, known to me to be the persons whose names subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.

OFFICIAL SEAL
EMMETT S. DADO
NOTARY PUBLIC - CALIFORNIA
COUNTY OF SONOMA
My Commission Expires May 27, 1973

Notary Public in and for said County of Sonoma, State of California

My commission expires May 27, 1973

Page 2 of 2 pages

BOOK 2468 PAGE 611

Docket Information

Number of Documents in Docket 114

Documents Dated from 8/17/1953 to 3/28/2017

Docket Compiled: 3/1/2018