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STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Permit 14109,)
Issued on Application 20266,)
PETER FOLGER, PETER M. FOLGER,)
ABIGAE L A. FOLGER,)
Permittees.)

ORDER: WR 76-4
SOURCE: Woodruff and Whistle
Creeks
COUNTY: San Mateo

ORDER DENYING EXTENSION OF TIME AND DIRECTING
ISSUANCE OF LICENSE

BY BOARD CHAIRMAN ADAMS:

A hearing having been held pursuant to Section 1410 of the Water Code before the State Water Resources Control Board on the 26th day of June, 1975, in the Resources Building, 1416 Ninth Street, Sacramento, California, for the purpose of allowing Peter Folger, Peter M. Folger, and Abigael A. Folger an opportunity to show cause whether an extension of time should be granted, license should be issued for the amount of water placed to beneficial use under the terms of permit, or the permit should be revoked; due notice of the time, place, and nature of said hearing having been given by certified mail to said permittees; said notice having been received, as is evidenced by signed return receipts; appearance having been made on behalf of said permittees; evidence having been presented and received at said hearing and having been duly considered, the Board finds as follows:

1. Permit 14109 was issued in the matter of Application 20266 on July 29, 1963, to Peter Folger, Peter M. Folger, and Abigael A. Folger for the appropriation of 0.56 cubic foot per

second by direct diversion from October 1 to June 1 and 45 acre-feet per annum by storage from November 1 to June 1 from Woodruff and Whistle Creeks in San Mateo County for irrigation, domestic, stockwatering, and recreational uses.

2. The time authorized in connection with said permit for completion of construction and complete application of water to beneficial use expired after one extension of time on December 1, 1969. A petition for extension of said time for a period of four years was filed on November 7, 1973.

3. A maximum quantity of four and six tenths (4.6) acre-feet per annum collected from November 1 to June 1 with a maximum rate of diversion to off-stream storage of 32 gallons per minute has been put to beneficial use for the purpose of stockwatering and recreation.

4. No water has been used for irrigation or domestic purposes.

5. Except as found in finding 3 above, permittees have failed to exercise due diligence in an effort to commence and complete the necessary construction work and to apply water to beneficial use in accordance with Permit 14109 and with Division 2 of the Water Code and the regulations of the Board.

6. The record shows that even if granted an additional extension of time, permittees have no intention of completing the project as proposed in said permit within the period of time requested. (RT 13, 17).

7. No good cause has been shown for any further extension of time to complete the project and the beneficial use of water under Permit 14109.

It is concluded from the foregoing findings that further extension of time should be denied and that a license should be issued confirming actual use of water under said permit.

NOW, THEREFORE, IT IS ORDERED that further extension of time is denied, and IT IS FURTHER ORDERED that a license shall be issued in accordance with applicable statutes and regulations, based on actual use under Permit 14109 as found herein.

Dated: February 19, 1976

W. W. ADAMS
W. W. Adams, Chairman

W. DON MAUGHAN
W. Don Maughan, Vice Chairman

ROY E. DODSON
Roy E. Dodson, Member

JEAN AUER
Jean Auer, Member