

BEFORE THE STATE WATER RESOURCES CONTROL BOARD
OF THE STATE OF CALIFORNIA

Report on
PURISIMA CREEK ADJUDICATION

In the Matter of the Determination
of the Rights of the Various Claimants to the Water
of Purisima Creek Stream System
in San Mateo County,
California

WATER SUPPLY and USE of WATER,
PROOFS of CLAIM
and
PRELIMINARY ORDER of DETERMINATION



DECEMBER 1979



STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

**STATE WATER RESOURCES
CONTROLBOARD**

Carla M. Bard, *Chairwoman*

William J. Miller, Vice Chairman

L. L. Mitchell, Member

Clint Whitney, Executive Director

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of
DETERMINATION OF THE RIGHTS
of the Various Claimants
to the Waters of
PURISIMA CREEK STREAM SYSTEM

Order : WR- 79-35

County: San Nateo

ORDER ADOPTING REPORT ON PURISIMA CREEK ADJUDICATION

The State Water Resources Control Board has considered the Report on Purisima Creek Adjudication and acting in accordance with Water Code Sections 2600 et seq. approved and adopted same at a meeting duly called and held at Sacramento, California, on 20th day of December, 1979.

/s/ Carla M. Bard
Carla Pi. Bard, Chairwoman

/s/ William J. Miller
William J. Miller, Vice Chairman

/s/ L. L. Mitchell
L. L. Mitchell, Member



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WATER SUPPLY AND USE OF WATER
PROOFS OF CLAIM
AND
PRELIMINARY ORDER OF DETERMINATION



This Investigation was conducted and Report on Water Supply
and Use of Water, Abstract of Proofs of Claims and
Preliminary Order of Determination were prepared
by the Division of Water Rights

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PREFACE

Introduction

1. This report, prepared in accordance with Sections 2600 through 2603 of the California Water Code, is divided into three sections as follows:

(a) Water Supply and Use of Water on the Purisima Creek Stream System

(b) Proofs of Claim

(c) Preliminary Order of Determination

2. The first section includes factual information on water supply and use of water in the Purisima Creek Stream System. The information was gathered in 1978 and 1979 by engineers of the State Water Resources Control Board (Board) during investigation of the use of water by the various parties within the stream system. After the factual information was gathered, proof of claim forms were supplied to the water users along with data obtained at the investigation to assist the claimants in filing individual proofs of claim.

3. The second section, Proofs of Claim, summarizes each claimant's statement of the basis of the claim of right, amount of water claimed, description of the place of use, purpose of use and other factual information which may be pertinent to the claim. This section also includes the findings of the Board regarding proofs of claim.

4. The third section, the preliminary order of determination, sets forth the Board's findings on these elements considering all the information from its field investigation and from the proofs of claims filed by the various claimants.

5. This proceeding is designed to culminate in a decree of the Superior Court of San Mateo County defining all elements of each water right

including: (1) the amount of water each user is entitled to divert from Purisima Creek, from its various tributaries, and from subterranean streams which flow through known and definite channels and which contribute to Purisima Creek and its tributaries; (3) the area where such water may be used; (4) the location of points of diversion; (5) the priority of each water right as it relates to other water rights on the same source; (6) the purpose for which the water is used; and (7) the diversion season.

6. The supply of water available in Purisima Creek is limited during the summer months when the demand is greatest. Therefore, a rotation schedule is included in the preliminary order of determination. Adoption of this schedule, or another rotation schedule which may be more adaptable and suitable, is recommended.

Legal Proceeding

7. On August 12, 1977, the Board received a petition for determination of the water rights in the Purisima Creek stream system under the provisions of Chapter 3, Part 3, Division 2 of the Water Code, commencing with Section 2500. Water Code Section 2525 requires the Board to find that the public interest and necessity will be served by the proposed adjudication before granting the petition. Therefore, the Board's staff conducted a preliminary field investigation to set forth the facts on problems of supply and distribution of water to aid the Board in deciding whether to grant the petition.

8. The water problems in the watershed were determined by the Board to be such that the public interest would be served by a determination of the rights of the various claimants to the water of the Purisima Creek stream system. The adjudication is limited to rights to surface flow of Purisima Creek, and to water in subterranean streams which flow in known and

definite channels and which contribute to the Purisima Creek Stream System.

9. On December 15, 1977, the Board granted the petition. 'The Board further ordered investigation of the stream system to begin on that date. The area included in the proceeding was defined as the entire Purisima Creek watershed. Notice was published in a local newspaper once a week for four consecutive weeks advising all claimants of water of the commencement of the proceeding. The claimants were also advised they should notify the Board before February 13, 1978, of their intention to file proofs of claim of water right. All known water users and other interested parties were notified by mail.

10. Notices of Intention to File Proofs of Claim were received from 22 potential claimants. Failure of any person to file such a notice with the Board does not preclude filing of a proof of claim at the appropriate time, nor does it preclude the Board from including in its preliminary order of determination upon proper notice, the rights of persons not filing proofs of claim.

11. The Board conducted a detailed field investigation of the Purisima Creek Stream System. Upon its conclusion the Board provided, by registered mail, a blank form of proofs of claim and a copy of the factual determinations of the Board. The Board received 21 proofs of claim.

12. After proofs of claim are filed, the Board is required to prepare a report describing the water supply and abstracting the claim of water right of each claimant and a preliminary order of determination and to send by registered mail a copy of the report to each claimant and to each person not filing a claim appearing in the report as a water user. Each such person may file objections to any portion of the report, including the preliminary order of determination. A representative of the Board will have all proofs

of claim and other records available for inspection for at least five days at a convenient location near the Purisima Creek watershed to assist water users evaluating the claims of others and in filing any objections that seem proper.

13. Objections which cannot be resolved by negotiation will be scheduled for hearing by the Board at which time the parties involved may present written and oral testimony. After the hearings on objections, the Board will prepare its final order of determination defining all water rights in the watershed. The final order will be based on all the evidence obtained in the proceeding, including measurements of water diversion and use, proofs of claims, and the objection. The law requires the Board to determine and include in its order the rights of all persons who fail to file proofs of claim, such determination to be based on evidence in the record.

14. Each claimant will receive a copy of the final order of determination. A copy will be filed with the Superior Court of San Mateo County together with original evidence and transcripts of all Board hearings. The court will then set a hearing to consider approval of the order of determination and entry of a decree in conformance with the order of determination. Any person aggrieved or dissatisfied with the order may file exception with the court. The matter of the exception will be heard by the court on the day set for hearing. At the conclusion of the hearing, the court will enter a decree determining the rights. Appeals from the decree may be filed by the Board or any party in interest in the same manner as in civil cases.

Watermaster Service

15. In several other areas in California where water rights have been adjudicated, the water users have requested the State Department of Water Resources (Department) to appoint a watermaster to enforce the decree. The same service may be requested by water users on Purisima Creek through

petition to the Department.

Expenses.

16. The law provides that all expenses incurred by the Board in conducting the adjudication be repaid by the parties. A fee of \$10 was submitted with each proof of claim. The portion of the Board's expenses not covered by those fees will be apportioned equitably against the parties at the conclusion of the proceeding.

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SECTION I

WATER SUPPLY AND USE OF WATER IN
THE PURISIMA CREEK STREAM SYSTEM



SECTION I

WATER SUPPLY AND USE OF WATER IN THE PURISIMA CREEK STREAM SYSTEM

Purisima Creek Stream System

1. Purisima Creek, which flows into the Pacific Ocean, drains a watershed of about 6,000 acres. The watershed ranges in elevation from sea level to about 2,000 feet at the crest of the Santa Cruz Mountains west of Redwood City. The stream flows into the ocean about four miles south of the community of Half Moon Bay.

2. The largest portion of the stream flow originates in the upper watershed. The upper watershed includes, besides the main channel of Purisima Creek, a large tributary called Whittemore Gulch and several small tributaries. The upper watershed consists of redwood and oak timberlands on steep hillslides. In its lower reach Purisima Creek flows through a narrow valley relatively clear of trees, thence through a deep ravine across a narrow coastal plain to the ocean.

3. Lands irrigated in the lower valley and coastal plain are primarily used for cultivation of row crops and grazing.

Climate

4. The climate of the area is typical of the Central Coastal Region, with wet, mild winters and cool, dry summers. Rainfall occurs usually from October through April, although there is measurable precipitation occasionally during the summer months. Moisture resulting from condensation of fog is helpful in raising certain crops which have only minimal irrigation requirements. Table 1 shows precipitation at a Half Moon Bay gage during the years 1965 through 1976.

Crops

5. Major irrigated crops are pasture, brussels sprouts, artichokes and flowers. The row crops are grown mostly on the coastal plain overlooking the ocean while the pasture is located in the valley below the steep wooded hills. Irrigation of all crops is presently accomplished by sprinkling.

Scope of Investigation

6. Examination of the stream system was begun in the spring of 1978 and was completed in June of 1979. During that period, all physical facts considered essential to the proper determination of water rights were investigated.

7. A water stage recorder had been installed and maintained by the U. S. Geological Survey at a location on Purisima Creek above all major diversions from October 1958 through September 1969 and continuous stream flow records were obtained and published. Table 2 shows the monthly average flows during this period. Additional measurements were taken in 1978 by the Board's staff during the investigation. These additional measurements are shown in Table 3.

8. All surface diversion systems and uses of water diverted were observed in the process of the investigation. The diversions and uses of the water are described in Schedule 1. The places of use of water diverted from the Purisima Creek Stream system are described in Schedule 3. Locations of points of diversion are described in Schedule 2. Places of use and Points of diversion are shown on the map entitled "Purisima Creek Stream System showing Diversions and Irrigated Lands" (SWRCB Map) which accompanies this report.

9. Irrigated lands were outlined on an aerial photograph having a scale of eight inches equal one mile, from which the irrigated acreages of each owner were determined by planimeter. They were then transferred to

SWRCB map. Property boundaries and property owners' names were obtained from County Assessor records and are shown on the SWRCB map. The degree of accuracy in determining irrigated acreages by this method is well within the accuracy obtainable in measuring the amount of water allocated to the land.

10. Location of each diversion point was tied to a section corner or a projected section corner by scaling from the aerial photo.

11. Normal irrigation head, or rate of flow, has been measured at most major pump and sprinkler systems by the Pacific Gas and Electric Company.

Water Problems

12. Along Purisima Creek the basic problem is lack of sufficient surface flow during the summer months to supply all surface diversions. This problem was aggravated in part by the unprecedented two years of subnormal rainfall during the 1975-6 and 1976-7 storm seasons. Increased development for irrigation of more land than can be served even in years of normal stream flow also appears to have some effect in creating critical problems.

Water Rights

13. Most of the diversions of water from the Purisima Creek watershed are made under claims of riparian right although a few appropriative rights exist. License 9456 (Application 18508) was issued for 640 gallons per day for domestic uses year around. Application 24619, for appropriation of water by storage, was filed on June 10, 1974 and Permit 17312 has been issued by the Board for winter storage of 25 acre-feet of water in four reservoirs to be constructed on tributaries of Purisima Creek. Applications 25994 and 26059 to appropriate unappropriated water have been filed with the Board and are still pending. There is also evidence of pre-1914 appropriations in the lower reach of the stream.

Duty of Water

14. Duty of water for the crops grown along Purisima Creek varies according to the nature of the crop. Department of Water Resources Bulletin No. 113-3, "Vegetative Water Use in California, 1974", Table 29 shows estimated applied water for principal crops in the Central Coast, coastal valleys and plains. According to Table 29, improved pasture requires an average of 3.2 acre-feet per acre of applied water per season. Brussels sprouts, artichokes and flowers are not listed. However, cauliflower requires 1.5 acre-feet per annum, cabbage 2.2 acre-feet and dry beans 2.1 acre-feet, all average requirements. Information supplied by growers in the Half Moon Bay area indicates that water requirements for brussels sprouts is about 2.5 acre-feet per acre per annum and for artichokes is about 1.5 acre-feet per acre per annum. No data on flower culture can be found but water requirements are estimated at about 2.0 acre-feet per acre per annum.

15. For the purpose of this report, an average of 2.4 acre-feet of applied water for the seven months of April through October is assumed. This would be an average of 0.34 acre-foot per acre per month. The resulting duty of water is approximately one cubic foot per second per 180 acres. This duty of water is used herein in determining allocations under riparian rights. Justification for using this duty of water is the scant supply of water in Purisima Creek, even in good years, and the high demand for water during the irrigation season. Therefore, use which exceeds this duty is considered unreasonable.

Groundwater

16. The supply of groundwater within the Purisima Creek watershed is unreliable. A few wells have been drilled, usually with unsatisfactory results. Not only is the quantity of water produced from these wells usually

inadequate but also the quality of water from some of the wells is unsatisfactory for inside domestic use.

Fish and Wildlife

17. Purisima Creek maintains a small fishery of rainbow and brown trout. Planting of fish in Purisima Creek was discontinued in 1963; the fishery is now selfsustaining. A natural barrier at the lower end of the stream prevents upstream migration of anadromous fish.

Planning

18. In 1974 the California State Legislature authorized a comprehensive water resources management plan for San Mateo County. The engineering firm of Leeds, Hill and Jewett, Inc., and other consultants were retained and have submitted a draft report to the County Board of Supervisors.

19. The California Coastal Zone Conservation Commission and the regional commission are responsible for regulating the development and planning for the most beneficial use of California's coastline. The area subject to Coastal Commission planning and regulation extends five miles inland from the ocean, almost to the crest of the nearest coastal mountain range, incorporating most of the Purisima Creek watershed.

20. Density of residential development, or number of dwelling units, in the watershed will be limited not only by the planning agencies but also by the area with useable slopes, available water supply, and accessibility.

Summary and Conclusions

21. Surface flow of Purisima Creek and its tributaries is used for domestic purposes at two subdivisions in the upper watershed and approximately twenty residences located along the lower reach of the stream.

22. Six hundred seventeen acres are irrigated or irrigated partially from Purisima Creek.

23. Purisima Creek supports a small self-sustaining trout fishery.

24. The stream provides water for stockwatering and fire protection.

25. Average stream flow varies from more than seven cubic feet per second in winter to less than one cubic foot per second in summer.

26. Most efficient use of water for agricultural purposes during the summer months can be made through participation of the claimants in a sharing or rotation schedule.

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Schedule 1 -
Diversions of Water

Diversions 1A and 1B are the Kings Mountain Mutual Water Company pumps installed at two unnamed springs in the upper watershed of Purisima Creek. No water is pumped from Diversion 1B for approximately nine months of each year when there is adequate water available at Diversion 1A. During the summer and autumn when water supply at Diversion 1A becomes inadequate the pump at Diversion 1B is activated and water is pumped through a pipeline to a holding tank at Diversion 1A. The water from both springs is then pumped to two regulating tanks southeasterly of the subdivision from which it is distributed by gravity to the various users.

Diversion 2 is the Etienne and Sierra Morena Spring Water Company pump located on an unnamed spring tributary to Soda Gulch. This pump diverts water from the spring into a pipeline leading to two regulating tanks and a distribution system which serves thirty homes. Eight more lots in the subdivision are potential water users. Water is also purchased from other sources by the Morena Spring Water Company. The system also serves the property of John R. and Carolyn Etienne with domestic water.

Diversion 3 is the William T. Wilkins proposed domestic pumps. Use of water is proposed for domestic purposes at 470 parcels, of 5 acres each, which are planned to be developed for future residential construction.

Diversion 4 is Ira T. and Jean B. Edwards domestic pump proposed to be located on the northwest side of Purisima Creek as shown on the SWRCB map.

Diversion 5 is the Minaidis pump located on the northwest side of Purisima Creek. Water is diverted by a 5-horsepower pump through about 2,400 feet of

Schedule 1 - (Cont'd)
Divisions of Water

2-inch pipeline for domestic use at three homes on the property of John T. Minaidis, Jr., and Tom and June Minaidis.

Diversion 6 is the R. E. and Barbara C. Saleme pump proposed to be located on the northwest side of Purisima Creek. Water is to be used for domestic purposes and future irrigation. A well on the property presently supplies domestic water in and around the residence.

Diversion 7 is the Lindsay Mickles pump located on the northwest side of Purisima Creek. The diversion system consists of a 10-horsepower pump and a portable pipeline system with fixed impact sprinklers. A total of 11 acres of grass pasture are irrigated or proposed to be irrigated.

Divisions 8, 9, 10, 11 are Lindsay Mickles reservoirs covered by Permit 17312 (Application 24619) issued by the State Water Resources Control Board. The permit authorizes appropriation of 25 acre-feet of water to be diverted to onstream storage on four unnamed streams tributary to Purisima Creek. Water is proposed for use for stockwatering, recreation, fire protection and irrigation of 70 acres of grass pasture.

Diversion 12 is the Charles A. and Mary Alice Black domestic pump which diverts water from a shallow well located on the northwest side of Purisima Creek. Water is pumped to a 3,000 gallon tank from which a booster pump supplies the residence with domestic water.

Diversion 13 is the Black irrigation pump which diverts from the northwest side of Purisima Creek. The diversion system consists of a portable diesel powered pump and a 3-inch portable aluminum pipeline with impact type sprinklers. One acre of pasture is irrigated south of Purisima Creek Road. Six acres north of the road are proposed for future irrigation.

Schedule 1 - (Cont'd)
Divisions of Water

Diversion 14 is the Ronald D. and Carol Fahy pump which diverts water from the northwest side of Purisima Creek for domestic use. The diversion system consists of a one-horsepower pump and a permanent underground pipeline system which conveys water to a 1000-gallon regulating tank thence to the residence and surrounding lawn and garden area. About one-half acre of grass pasture is also irrigated.

Diversion 15 is the Edward R. Williams pump located on the northwest side of Purisima Creek. Water is pumped through a 1½-inch pipeline to a 20,000 gallon tank from which a booster pump is used to sprinkle irrigate 5 acres of hillside grass pasture land. Water flows from the tank through the pipeline by gravity to sprinkle irrigate about one acre of lower land and for domestic use at a mobile home and shop building.

Diversion 16 is the Clyde E. Beffa, et al. pump No. 1 which diverts water from the northwest side of Purisima Creek. The system consists of a 10-horsepower pump of 200 gallons per minute capacity which supplies a portable pipeline system with impact sprinklers. A total of about 15 acres of pasture land is irrigated from this diversion system.

Diversion 17 is the William E. and Judith C. Johnson pump which diverts water from the northwest side of Purisima Creek. The system consists of a pump and a pipeline from the pump to the residence for inside and outside domestic use and for future irrigation of 2 acres.

Diversion 18 is the Michael J. Kinsch, Jr. and Karen P. Shrier pump proposed to be located on the northwest side of Purisima Creek. Proposed use includes inside and outside domestic use and irrigation of 13 acres.

Schedule 1 - (Cont'd)
Diversions of Water

Diversion 19 is the Robert and Margaret Peter pump which diverts water from the northwest side of Purisima Creek. The system consists of a pump and a pipeline which supplies water for domestic use in and around the residence and for sprinkler irrigation of 2 acres of pasture.

Diversion 20 is the Lloyd R. and Lila L. Beavers pump located on the northwest side of Purisima Creek. The system consists of an electrical pump which diverts water through a pipeline to the Beavers residence for inside and outside domestic use. A total of 15 acres is proposed for future irrigation from the system.

Diversion 21 is the Clyde E. Beffa, et al. pump No. 2 located on the northwest side of Purisima Creek. The system consists of a 10-horsepower electric pump which diverts water at about 200 gallons per minute to a movable sprinkler system. A total of about 25 acres is irrigated by this diversion.

Diversion 22 is the Clyde E. Beffa, et al. pump No. 3 located on the northwest side of Purisima Creek. The system consists of a 10-horsepower pump which diverts water at about 200 gallons per minute to a movable sprinkler system. About 15 acres can be irrigated with this system.

Diversion 23 is the Clyde E. Beffa, et al. pump No. 4 located on the northwest side of Purisima Creek. The system consists of a 7½ horsepower pump which pumps water at about 150 gallons per minute to a movable sprinkler system. About 12 acres can be irrigated with this system.

Diversion 24 is the Robert H. Allen Pump located on the northwest side of Purisima Creek. The pump diverts from a well next to Purisima Creek

Schedule 1- (Cont'd)
Divisions of Water

through a pipeline a distance of 750 feet to the residence for inside and outside domestic use.

Diversion 25 is the University of California Regents pump on the Elkus 4-H Ranch which diverts water from the southeast side of Purisima Creek. The system consists of a 1½-horsepower pump, 4,000 feet of 2-inch pipeline, a ¾-horsepower booster pump (synchronized with the diversion pump), and a 5,000 gallon regulating tank. The system supplies water for a residence at the ranch headquarters. Future use in a camp kitchen and restroom facilities, and irrigation of forty acres of pasture is planned.

Diversion 26 is the Donald M. and Laura J. Layne Pacheco Ranch domestic pump located on the northwest side of Purisima Creek. Water is pumped from the creek for use in and around the residence on the ranch.

Diversion 27 is the Donald M. and Laura J. Layne Pacheco Ranch irrigation pump which diverts water from the north side of Purisima Creek. The system consists of a 7½ horsepower pump, 4-inch aluminum pipeline, and impact-type sprinkler system with capacity of about 150 gallons per minute. Eighteen acres of grass pasture are irrigated.

Diversion 28 is the Richard J. and Ruth K. Elkus pump, a portable system which diverts water from the north side of Purisima Creek. The system consists of a portable pump and aluminum pipeline with impact-type sprinklers. Twenty acres of barley received one irrigation during the 1978 irrigation season.

Diversion 29 is the S. H. Cowell Foundation proposed domestic pump.

Diversion 30 is the Margaret A. Moran pump located on the Northwest side of Purisima Creek directly under the Verde Road Bridge. The system consists of an electric pump and a pipeline which conveys water to the Moran property

Schedule 1 - (Cont'd)
Diversions of Water

for outside domestic use. Water had been used inside a residence until it was badly damaged by fire.

Diversion 31 is the Debenetti* pump which diverts water from the south side of Purisima Creek for irrigation use. The system, having about 800 gallons per minute capacity, consists of a pump which diverts water through an underground pipeline with risers at various locations. Portable aluminum pipelines attach to the risers to sprinkle irrigate the crops. When irrigation is not required by direct diversion, water is pumped into two regulating reservoirs and later released by gravity to the irrigation system. A total of 228 acres of brussel sprouts and artichokes are irrigated.

Diversion 32 is the Debenedetti* domestic pump located on the southeast side of Purisima Creek. The system consists of an electric pump which diverts water through a pipeline to the farm headquarters for domestic use.

Diversion 33 is the San Mateo County Community College District dam on an unnamed tributary of Purisima Creek. Water is stored in the 17 acre-foot-capacity reservoir during the winter and pumped from the reservoir during the summer for irrigating about 30 acres of row crops.

Diversion 34 is the S. H. Cowell Foundation pump which diverts water from the northwest side of Purisima Creek. The system, with a maximum capacity of 1070 gallons per minute, consists of a 50-horsepower pump which diverts water through an underground pipeline. The system includes portable aluminum pipelines attached to risers at various locations to sprinkle irrigate the crops. When irrigation is not required, and water is available, it is pumped into two regulating reservoirs. This water is then pumped back into

* J. L. Debenedetti, Frederica H. Debenedetti, John L. Debenedetti, III,
and Jane D. Quistgard

Schedule 1 - (Cont'd)
Divisions of Water

the sprinkler system when needed. A total of 258 acres of artichokes, flowers and pumpkins were irrigated in 1978.

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Schedule 2

Location of Points of Diversion

Name of Diversion System	Number of diversion on State Water Resources Control Board Map	Location of point of diversion			
		Legal sub-division in which diversion occurs MDB&M	Reference corner for distance and bearing MDB&M	Bearing from Reference Corner	Distance from reference corner in feet
Kings Mountain 1A Mutual Water Co. Pump #1		NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 8 T6S R4W	NW Corner Sec. 8	S37 $^{\circ}$ E	4900'
Kings Mountain 1B Mutual Water Co. Pump #2		NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 8 T6S R4W	NW Corner Sec. 8	S38 $^{\circ}$ E	3550'
Etienne and Sierra Morena Spring Water Co. pump	2	NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 5, T6S R4W	NW Corner Section 5	S12 $^{\circ}$ E	1 3 0 0'
Wilkins (Proposed)	3	Partial & Projected sections 5,6,7,8 & 9, T6S, R4W; Sections 1 & 2 and partial & projected sections 11 & 12 T6S, R5W,			
Edwards (Proposed)	4	SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 2, T6S, R5W			
Minaidis Pump	5	SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 2, T6S, R5W	SE Corner Sec. 2	N59 $^{\circ}$ W	1500'
Saleme (Proposed)	6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 2, T6S, R5W			
Mickles	7	NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 11, T6S R5W	N $\frac{1}{4}$ Corner Section 11	S33 $^{\circ}$ W	900'
Mickles Reservoir #1	8	NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S40 $^{\circ}$ E	1300'
Mickles Reservoir #2	9	SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S30 $^{\circ}$ E	1750'
Mickles Reservoir #3	10	SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S19 $^{\circ}$ E	2650'
Mickles Reservoir #4	11	NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner	S12 $^{\circ}$ W	2900'

Schedule 2 ' (cont'd)

Location of Points of Diversion

Name of Diversion System	Number of diversion on State Water Resources Control Board Map	Location of point of diversion			Distance from Reference Corner in feet
		Legal sub-division in which diversion occurs MDB&M	Reference Corner for Distance and Bearing MDB&M	Bearing from Reference Corner	
Black Domestic Pump	12	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S, R5W	NW Corner Section 11	S52 $^{\circ}$ E	1900
Black Irrigation Pump	13	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S52 $^{\circ}$ E	1900'
Fahy Pump	14	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S42 $^{\circ}$ E	1 6 5 0 '
Williams Pump	15	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S38 $^{\circ}$ E	1650'
Beffa Pump #1	16	SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S2 $^{\circ}$ E	2100'
Johnson Pump	17	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Kinsch-Shrier Pump (Proposed)	18	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S, R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Peter Pump	19	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Beavers Pump	20	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S, R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Beffa Pump #2	21	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 10, T6S R5W	SE Corner Section 10	N23 $\frac{1}{2}$ $^{\circ}$ W	2000'
Beffa Pump #3	22	SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 10, T6S R5W	SE Corner Section 10	N60 $^{\circ}$ W	1720'
Beffa Pump #4	23	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	NE Corner Section 15	S72 $^{\circ}$ W	2125'

Schedule 2 (cont'd)

Location of Points of Diversion

Name of Diversion System	Number of diversion on State Water Resources Control Board Map	Legal sub-division in which diversion occurs MDB&M	Reference Corner for distance and Bearing MDB&M	Bearing from Reference Corner	Distance from Reference Corner In Feet
Allen Pump	24	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	NE Corner Section 15	S69 $^{\circ}$ W	2450'
Univ of Calif. Regents Pump	25	SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S1 $^{\circ}$ E	1440'
Layne Domestic Pump	26	SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S5 $^{\circ}$ W	1 6 0 0'
Layne Irrigation Pump	27	SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S5 $^{\circ}$ W	1600'
Elkus Movable Pump	28	SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 15, T6S R5W			
S. H. Cowell Foundation Proposed Domestic Pump	29	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	N $\frac{1}{4}$ Corner Section 21	S34 $^{\circ}$ E	1050'
Moran	30	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	N $\frac{1}{4}$ Corner Section 21	S34 $^{\circ}$ E	1050'
Debenedetti, et al 31 Irrigation Pump	31	NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 21, T6S, R5W	N $\frac{1}{4}$ Corner Section 21	S29 $^{\circ}$ E	1100'
Debenedetti, et al 32 Domestic Pump	32	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	N $\frac{1}{4}$ Corner Section 21	S29 $^{\circ}$ E	1100'
San Mateo Comm. College District Reservoir	33	SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 16, T6S R5W	SW Corner Section 16	N80 $^{\circ}$ E	1650'
S. H. Cowell Foundation Pump	34	NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 20, T6S R5W	NE Corner Section 20	S70 $^{\circ}$ W	300'

Schedule 3
Description of Places of Use
of Water From Purisima Creek Stream System

<u>Acres</u>	<u>Subdi vi si on</u>	<u>Section</u>	<u>Townshi p: Range</u>	
			<u>MDB</u>	<u>&M</u>
<u>'Allen, Robert H.</u>				
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
<u>Beavers, Lloyd R. & Lila L.</u>				
Domestic	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
9	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
3	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
2	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
1	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
15 *	TOTAL			
<u>Beffa, Clyde E. et al</u>				
2	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
12	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
6	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
20	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
1	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5w
6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
11	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
2	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
13	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	15	6S	5W
7 3	TOTAL			
47*		10,11,15	6S	5W
<u>Black, Charles A. & Mary A.</u>				
1	N $\frac{1}{2}$ of NW $\frac{1}{4}$	11	6S	5W
6*	N $\frac{1}{2}$ of NW $\frac{1}{4}$	11	6S	5W
<u>Cowell, S. H. Foundation</u>				
11	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
12	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
3	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	16	6S	5W
21	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
17	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
4	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W

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* Dormant Ri pari an l ands

Schedule 3 (Cont'd)
 Description of Places of Use
 of Water From Purisima Creek Stream System

Township: Ranae

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>MDB&M</u>	
<u>Cowell, S. H. Foundation (Cont'd)</u>				
24	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	8	6S	5w
36	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	8	6S	5W
10	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	8	6S	5W
2	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	16	6S	5W
3	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
2	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
28	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5w
19	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5w
23	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5w
39	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5w
4	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	17	6S	5W
-1-xi--	TOTAL			
270 *		16, 21	6S	5w
<u>Debenedetti, J. L. et al</u>				
5	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 20	6S	5w
26	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5w
28	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5w
16	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5w
35	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5w
9	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5w
14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
2	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5w
12	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
27	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5w
1	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5w
6	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	Proj. 21	6S	5w
181	TOTAL			
10	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5w
18	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5w
14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5w
4:	TOTAL	Proj. 21	6S	5w

* Dormant Riparian Lands

Schedule 3 (Cont'd)
Description of Places of Use
of Water From Purisima Creek Stream System

			<u>Township: Range</u>	
<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>MDB&M</u>	
<u>Debenedetti, J. L. et al (Cont'd)</u>				
2	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5w
6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	Proj. 16	6S	5W
12	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 15	6S	5w
11	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 15		
<u>31*</u>	TOTAL			
<u>Edwards, Ira T. and Jean B.</u>				
Domestic	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
5*	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
<u>Elkus, Richard J. & Ruth K.</u>				
7	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5w
5	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5w
<u>8</u>	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	15	6S	5w
20	TOTAL			
<u>Etienne, John R. & Carolyn</u>				
Domestic	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	6	6S	4w
Domestic	W $\frac{1}{2}$ of NW $\frac{1}{4}$	5	6S	4w
<u>Fahy, Ronald D. and Carol</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
$\frac{1}{2}$	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	1 1	6S	5W
<u>Johnson, William E. and Judith C.</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
Domestic	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5w
2 *	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	1 0	6S	5w
<u>Kings Mountain Mutual Water Company</u>				
Domestic	S $\frac{1}{2}$	Proj. 8	6S	4w
<u>Kinsch, Michael J., Jr., and Karen P. Shrier</u>				
Domestic	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
Domestic	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5w
13 *	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5w

* Dormant Riparian Lands

Schedule 3 (Cont'd)

Description of Places of Use
of Water From Purisima Creek Stream System

<u>A c r e s</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township: Range</u>	
			<u>MDB</u>	<u>&M</u>
<u>Layne, Donald M.</u>				
3	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5w
13	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5w
<u>2</u>	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	15	6S	5w
18	TOTAL			
<u>Mickles, Lindsay</u>				
2	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
9	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
<u>11</u>	TOTAL			
<u>Mickles, Lindsay</u>				
4	NW $\frac{1}{4}$	11	6S	5w
5	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	11	6S	5w
<u>20</u>	W $\frac{1}{2}$ of NE $\frac{1}{4}$	11	6S	5w
70*	TOTAL			
<u>Minaidis, John Jr., and Tom and June</u>				
Domestic	N $\frac{1}{2}$ of SE $\frac{1}{4}$	2	6S	5w
<u>Moran, Margaret A.</u>				
Domestic	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5w
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	21	6S	5w
<u>Peter, Robert & Margaret</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5w
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5w
2	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5w
<u>San Mateo Community College District</u>				
11	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5w
10	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5w
4	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5w
5	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5w
<u>30</u>	TOTAL			

*Dormant riparian lands.

Schedule 3 (Cont'd)
Description of Places of Use
of Water from Purisima Creek Stream System

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township: Range</u>		
			<u>MDB</u>	<u>&M</u>	
<u>Saleme, R. E. and Barbara A.</u>					
2	Domestic	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
8	Domestic	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
3	Domestic	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	2	6S	5w
<u>13*</u>		TOTAL			
<u>Sierra Morena Springs Water Company</u>					
	Domestic	N $\frac{1}{2}$ of NE $\frac{1}{4}$	6	6S	4w
	Domestic	NW $\frac{1}{4}$	5	6S	4w
<u>University of California Regents</u>					
	Domestic	S $\frac{1}{2}$ of NW $\frac{1}{4}$	Proj. 15	6S	5w
40*			Proj. 15	6S	5w
<u>Wilkins, William T.</u>					
	Domestic		6,7,8	6S	4w
			1,12	6S	5w
<u>Williams, Edward R.</u>					
	Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5w
6		NW $\frac{1}{4}$ of NW $\frac{1}{4}$	1 1	6S	5w

* Dormant Riparian Lands

NOTE: Section lines have been projected into the Rancho Canada Verde and lands within that grant are described above as being within sections as projected.

TABLE I
Precipitation at Half Moon Bay
(in inches)

MONTH	1965- 1966	1966- 1967	1967- 1968	1968 1969-	1969 1970-	1970- 1971	1971- 1972	1972- 1973	1973- 1974	1974- 1975	1975 1976-	1976 1977-	1977- 1978	AVERAGE
JULY	T	.12	-		-	-	.28	-	-	1.01	0.52	0.14	0.16	0.16
AUG.	0.23	.27		.28	-	-	.36	-	.09		0.59	1.56	0.27	0.32
SEP.	T	.25	T		.21		.40	.98	.62	T	0.02	0.59	1.59	0.35
OCT.	T	T	0.76	.65	1.73	.90	.23	6.90	3.04	1.36	4.49	0.30	0.47	1.60
NOV.	5.58	5.18	2.13	2.69	.76	8.41	2.29	6.49	9.50	0.64	0.85	1.73	3.37	3.82
DEC.	4.96	3.62	2.89	5.90	4.55	7.67	5.10	3.17	6.32	3.64	0.69	2.41	5.60	4.35
JAN.	3.77	10.44	6.19	8.06	8.49	1.61	1.27	8.78	4.87	2.95	0.52	2.26	9.01	5.24
FEB.	3.51	0.25	2.62	8.68	2.31	.76	1.33	7.33	2.16	4.88	2.54	1.31	5.62	3.48
MAR.	0.68	6.18	5.78	2.07	2.04	3.49	0.19	3.66	7.20	7.11	1.13	3.15	5.58	3.70
APR.	6.71	7.43	.61	2.76	.32	1.51	1.25	.23	3.22	2.14	2.04	0.20	4.50	2.07
MAY	0.20	0.25	.24	.06	.27	.53	0.11	.21	0.01	0.10	0.13	1.23	-	0.25
JUN.	T	1.44	-	.40	.21	.08	0.28	.05	0.50	0.28	0.04	-	-	0.30
TOTAL,	19.64	35.43	20.22	31.55	20.89	24.96	13.09	37.80	37.53	24.11	13.56	14.88	36.17	25.64

TABLE 2
 PURISIMA CREEK
 Average Monthly Flow
 (in cubic feet per second)

MONTH	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	All Months Total	Ave.	Total+	Ave*
JAN		2.18	2.51	0.71	1.19	5.83	5.09	18.1	4.95	19.2	3.20	21.3	67.97	6.18	45.96	5.11
FEB		3.93	5.31	1.10	9.22	17.5	1.76	4.79	5.14	9.71	5.02	30.2	93.67	8.52	63.27	7.03
MAR		1.40	2.28	2.84	7.41	5.62	1.55	3.11	2.31	11.1	6.09	15.3	59.01	5.36	42.31	4.70
APRIL		0.88	1.11	1.05	1.63	15.4	1.06	1.31	1.70	19.7	2.27	9.15	55.26	5.02	34.68	3.85
MAY		0.71	.86	1.34	0.07	6.15	1.01	3.75	1.20	6.42	1.33	4.24	27.08	2.53	21.02	2.33
JUNE		0.62	0.56	0.77	0.69	3.19	1.04	2.48	0.88	5.65	.94	3.26	20.08'	1.83	13.87	1.54
JULY		0.55	0.53	0.45	0.53	1.75	0.84	1.52	0.78	2.48	.75	2.09	12.27	1.12	9.34	1.04
AUG		0.47	0.42	0.33	0.40	1.27	0.59	1.26	0.53	1.83	0.60	1.36	9.14	.83	6.98	0.7'1
SEPT		1.16	0.40	0.33	0.59	1.09	0.58	1.05	0.41	1.37	0.44	1.02	8.44	.77	6.74	0.75
OCT	1.03	0.56	0.32	0.31	7.99	1.32	0.60	1.03	0.55	1.07	0.62		15.40	1.40	7.10	0.79
NOV	1.13	0.59	0.60	0.48	1.12	2.55	1.34	1.95	1.14	1.00	0.95		12.85	1.17	9.82	1.09
DEC	1.10	0.69	0.64	0.79	3.77	1.10	1.42	4.07	2.98	1.51	3.76		21.83	1.98	17.12	1.90

'Eliminating highest and lowest flow for each month.

TABLE 3

Purissima Creek
Measured Flows at Edwards Property
in SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 2
T6S R5W

May 23, 1978	-	4.12 cubic feet per second
June 22, 1978	-	1.43 cubic feet per second
August 2, 1978	-	0.75 cubic feet per second
September 14, 1978	-	0.92 cubic feet per second



SECTION II
PROOFS OF CLAIM



ALPHABETICAL LISTING
OF
CLAIMANTS FILING PROOFS OF CLAIM

<u>CLAIMANT</u>	<u>CLAIM</u>	<u>PAGE</u>
Allen, Robert H.	9	II--6
Beavers, Lloyd R. and Lila L.	11	II: 7
Beffa, Clyde E., et al	14	II- 8
Black, Charles A. and Mary Alice	12	II- 7
Cowell, S. H. Foundation	17, 18	II- 9
Debenedetti, J. L. Jr., Frederica H. and John L. III and Aquistgard, Jane D.	20	II- 11
Edwards, Ira T. and Jean B.	5	II- 5
Elkus, Richard J. and Ruth K.	2	II- 3
Etienne, John R. and Carolyn	3	II- 4
Fahy, Ronald D. and Carol	1	II- 3
Johnson, William E. and Judith C.	13	II- 8
Kings Mountain Mutual Water Company	21	II- 14
Kinsch, Michael J. Jr. and Shrier, Karen P.	8	II- 6
Layne, Donald M. and Laura J.	6	II- 5
Moran, Margaret A.	16	II- 9
Peter, Robert and Margaret	7	II- 5
Saleme, R. E. and Barbara A.	15	II- 8
Sierra Morena Springs Water Company	3	II- 4
Tramel, Mintie Uwanna	4	II- 4
University of California Regents	10	II- 6
Wilkins, William T.	19	II- 10

Abstract of Proofs of Claim

The Purisima Creek Adjudication proceeding covers determination of the rights of the various claimants to the water of the Purisima Creek Stream System in San Mateo County, California, as provided by law in Sections 2500 through 2866 of the Water Code of the State of California. The time for filing proofs of claims has expired and the State Water Resources Control Board, as required by law, has prepared an abstract of the claims filed.

The abstracts of the proofs of claims are arranged in the order of the number assigned when they were filed. There appears under each numbered claim the name of each claimant and a summary of the claim or claims contained in that proof. An alphabetical listing of the claimants filing proofs of claim is shown on page II-1.

Proof No. 1 - Ronald D. and Carol Fahy, Route 1, Box 313F, Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

4240 gallons per day all year for domestic purposes and domestic animals and .003 cfs from April to October for outside irrigation purposes on 1/2 acre within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11, T6S, R5W, MDB&M.

Proof No. 2 - Richard J. and Ruth K. Elkus, P. O. Box 432, Redwood City, California 94064 c/o R. H. Sciaroni, University of California, Cooperative Extension, P. O. Box 37, Half Moon Bay, California 94019 claim water from Purisima Creek through a portable pump by riparian right as follows:

3 gallons per minute all year for future inside and outside domestic

purposes and domestic animals, and 2 gallons per minute all year for stockwatering, and 50 gallons per minute from April to October for irrigation of land described as follows:

7 acres within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T5S, R5W, MDB&M

5 acres within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M

8 acres within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M

20 acres TDTAL

They also claim 200 gallons per minute for future irrigation of 80 acres northwest of Purisima Creek Road within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, and E $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 16, T6S, R5W, MDB&M.

Proof No. 3 - John R. and Carolyn Etienne and Sierra Morena Springs Water Company, P. O. Box 1292, San Mateo, California 94401 claim water from Purisima Creek through a pump installation by riparian and pre-1914 appropriate rights as follows:

7.1 gallons per minute all year for inside domestic purposes and domestic animals at 38 residences (30 built, 8 to be built in the future), within N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 6, T6S, R5W, MDB&M.

within NW $\frac{1}{4}$ of Section 5. T6S. R4W. MDB&M.

Proof No. 4 - Mintie Uwanna Tramel, 35 Wessex Way, San Carlos, California 94070 claim Water from Purisima Creek through a proposed pump installation by riparian right as follows:

An unspecified amount all year for proposed inside domestic purposes and domestic animals and an unspecified amount from May through October for outside proposed domestic purposes within N $\frac{1}{2}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M.

Proof No. 5 - Ira T. and Jean B. Edwards, 140 Dean Road, Woodside, California 94062, claim water from Purisima Creek through a proposed pump installation by riparian right as follows:

riparian right as follows:

320 gallons per day all year for proposed inside domestic purposes and domestic animals and 35,280 gallons per day from April to October for proposed outside domestic use on $4\frac{1}{2}$ to 5 acres within $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 2, T6S, R5W, MDB&M.

Proof No. 6 - Donald M. and Laura J. Layne, 2500 El Camino Real, Palo Alto, California 94306 claim water from Purisima Creek through a pump installation by riparian right as follows:

49.9 gallons per minute all year for inside and outside domestic purposes and domestic animals and irrigation of land described as follows:

3 acres within $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M.

13 acres within $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M.

2 acres within $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M.

He also claims 550 gallons per minute for future irrigation of 224 acres within Sections 9, 10, and 15, T6S, R5W, MDB&M on northerly side of Purisima Creek Road.

Proof No 7 - Robert and Margaret Peter, Route 1, Box 313, R. M. P., Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

420 gallons per day all year for inside domestic purposes and domestic animals, 3920 gallons per day from April to October for

outside domestic purposes, and 5 gallons per minute from April to October for irrigation of 2 acres within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M.

Proof No. 8 - Michael J. Kinsch, Jr., and Karen P. Shrier, 300 Constitution Drive, Menlo Park, California claim water from Purisima Creek through a proposed pump installation by riparian right as follows:

3 gallons per minute all year proposed for inside domestic purposes and domestic animals and 3 gallons per minute all year for stockwatering, and 32 gallons per minute from April to October for proposed irrigation of 15 $\frac{1}{2}$ acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M

Proof No. 9 - Robert H. Allen, R. R. 1, Box 316, Purisima Creek Road, Half Moon Bay, California 94019 claims water from a well next to Purisima Creek through a pump installation as follows:

320 gallons per day all year for inside domestic purposes and domestic animals and 3920 gallons per day from April to October for domestic irrigation of 1/2 acre of garden and lawn within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M

Proof No. 10 - The University of California Regents, 220 University Avenue, Berkeley, California 94720, c/o R. H. Sciaroni, County Director, Cooperative Extension University of California, P. O. Box 37, Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

770 gallons per day all year for inside domestic purposes and

domestic animals and 3.2 gallons per minute for an unspecified season for outside domestic purposes, and 4.2 gallons per minute all year for stockwatering within SW $\frac{1}{4}$ of NE $\frac{1}{4}$, W $\frac{1}{2}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, T6S, R5W, MDB&M.

They also claim riparian right for future irrigation of:

40 acres within Section 15, T6S, R5W, MDB&M.

Proof No. 11 - Lloyd and Lila L. Beavers, Route 1, Box 313LB, Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

right as follows:

8420 gallons per day for domestic purposes, stockwatering and irrigation of 2 acres within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M.

They also claim 43 gallons per minute for future irrigation of 8 acres within SE $\frac{1}{4}$ of NE $\frac{1}{4}$, 2 acres within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and 4 acres within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 1 acre within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M.

Proof No. 12 - Charles A. Black and Mary Alice Black, 313 CB Purisima Creek Road, Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

3 gallons per minute all year for domestic and stockwatering purposes, and 18 gallons per minute from April to October for irrigation of 3 acres within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11, T6S, R5W, MDB&M.

They also claim 21,600 gallons per day per future irrigation of 6 acres located within NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 11, T6S, R5W, MDB&M.

Proof No. 13 - William E. Johnson and Judith C. Johnson, Route 1, Box 313L, Half Moon Bay, California 94019 claim water from Purisima Creek through a pump installation by riparian right as follows:

by riparian right as follows:

4500 gallons per day all year for domestic and stockwatering purposes and from April 1 to November 1 for irrigation of 2 acres within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, T6S, R5W, MDB&M.

They also claim additional future use of 1,000 gallons per day.

Proof No. 14 - Clyde E. Beffa, et al, Route 1, Box 313G, Half Moon Bay, California 94019 claims water from Purisima Creek through pump installations by riparian right for stockwatering, pasture and row crops as follows:

18 gallons per day for each acre-foot* from April to October for irrigation of 120 acres on Beffa property in the Purisima Creek area.

* Apparently 18 gallons per day per 100 square feet.

Proof No. 15 - R. E. and Barbara A. Saleme, Route 1, Box 313S, 2600 Purisima Creek Road, Half Moon Bay, California 94019 claim water from Purisima Creek through a proposed pump installation by riparian right as follows:

375 gallons per day all year for proposed inside domestic purposes and domestic animals and 3920 gallons per day for proposed outside domestic purposes on land described within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2, T6S, R5W, MDB&M.

They also claim additional future use of 10,000 gallons per day.

Proof No. 16 - Margaret A. Moran, 2 Sea Shell Circle, Half Moon Bay, California 94019 claims water from Purisima Creek through a pump installation by pre-1914 appropriative right as follows:

3 gallons per minute all year for inside and outside domestic purposes and domestic animals, within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, T6S, R5W, MDB&M

Proof No. 17 - S. H. Cowell Foundation, c/o Ted W. Harris, Esq., Thelen Marrin, Johnson & Bridges, Two Embarcadero Center - San Francisco, California 94111 claims water from Purisima Creek through a pump installation by riparian right and pre-1914 appropriative right (April 5, 1910 priority date) as follows:

2.0 cubic feet per second under a riparian right and 2.0 cubic feet per second under a present pre-1914 appropriative right for domestic and stockwatering use all year and from April 1 to October 31 for irrigation of land described as follows:

24 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, T6S, R5W, MDB&M.
36 acres within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, T6S, R5W, MDB&M.
9 acres within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, T6S, R5W, MDB&M.
4 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
37 acres within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
23 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
19 acres within SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
32 acres within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
2 acres within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
19 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
19 acres within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T6S, R5W, MDB&M.
5 acres within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16, T6S, R5W, MDB&M.

12 acres within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T6S, R5W, MDB&M.

7 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T6S, R5W, MDB&M.

248 TOTAL ACRES

An amount of 5.0 cubic feet per second is claimed for future use. Location of proposed future place of use is approximately 300 acres of the Cowell upper Purisima Ranch within portions of Sections 15, 16 and 21, T6S, R5W, MDB&M.

Proof No. 18 - S. H. Cowell Foundation, c/o Ted W. Harris, Esq., Thelen, Marrin, Johnson & Bridges, Two Embarcadero Center, San Francisco, CA 94111 claims water from Purisima Creek through a pump installation by appropriative right having 1910 priority as follows:

500 gallons per day all year for domestic purposes at homesites on the lower Purisima Ranch within projected Section 21, T6S, R5W, MDB&M.

Proof No. 19 - William T. Wilkins, 232 Lakeland Tower, Jackson, Mississippi, 39216, c/o Larry Storms, Wilsey & Ham, 1935 E. Hillisdale Boulevard, Foster City, California 94404 claims water from Purisima Creek and tributaries, from various points within the place of use not yet determined, through proposed gravity and pump installations by riparian right as follows:

141,000 gallons per day all year for proposed inside domestic purposes on 470 lots described as 5-acre parcels within partial and projected sections 5, 6, 7, 8 and 9, T6S, R4W, MDB&M, and, Sections 1 and 2 and partial and projected Sections 13 and 14, T6S, R5W, MDB&M.

Proof No. 20 - J. L. Debenedetti, Jr., Frederica H. Debenedetti, John L. Debenedetti III, and Jane D. Quistgard, c/o Charles B. Leib Esq. 207 Bank of America Building, 12 South First Street, San Jose, California 95113 claim water from Purisima Creek through two pump installations by riparian rights as follows:

1190 gallons per day all year for inside domestic purposes and domestic animals and 11,760 gallons per day for domestic garden from April through November, and 1.26 cubic feet per second (566 gallons per minute) for irrigation of lands described as follows:

4 acres NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 20, T6S, R5W, MDB&M.
26 acres NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
28 acres SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
16 acres NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
35 acres SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
19 acres NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
18 acres SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
28 acres NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
5 acres SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
2 acres NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
12 acres NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
27 acres SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
1 acre SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
6 acres NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 21, T6S, R5W, MDB&M.
228 TOTAL ACRES

Claimants propose diversion of 0.17 cfs (78 gal/min) for future irrigation of 31 acres of riparian land. The claimant states that the diversion system was constructed prior to 1914. The claimants furnished the following general history of the DeBenedetti Ranch.

J. L. DeBenedetti, Jr., Frederica Y. DeBenedetti, John L. DeBenedetti, III and Jane D. Quistgard, are the owners of the DeBenedetti Ranch, which is located in the watershed of Purisima Creek. The ranch originally consisted of 277.27 acres, running from the Pacific Ocean upstream along Purisima Creek, and was owned by a man named "Butts"; later it was owned by Purisima Oil Company, or by its predecessor in interest, (the exact name being unknown to Declarants); then by West Coast Life Insurance Company, which leased it from Purisima Oil Company, and/or West Coast Life Insurance Company. To the best of Declarants' knowledge, this land has been continuously used for farming since 1910.

DeBenedetti's predecessor in interest also owned 75 - 80 acres above Lona Verde Road on the hill, which the DeBenedettis acquired and which was used some years ago and served by an old dam on the hill erected approximately 40 - 50 years ago, which has since washed out. These 75-80 acres are being left out of the Proof of Claim, but there is reserved the right to supplement it later, if and when pertinent data may become available.

The State of California condemned approximately 9.517 acres of the DeBenedetti Ranch for State Highway One, leaving approximately 267.753 acres of land. The DeBenedetti interests in this land were purchased sometime in the 1940s and have been used for farm purposes ever since. Since 1972, the land has been leased to Cabrillo Farms.

The DeBenedetti Ranch has proposed irrigated acreage of 230 acres located south of Lona Verde Road, as follows:

Brussels Sprouts	168 acres
Artichokes	50 acres
Peas	12 acres
	230 Acres (at 1.7 acre feet per year)
	391 ac/ft
	2.24 ac/ft

Household and Domestic Use

North of Loma Verde Road:

Pasture	25 acres (x 2 ac/ft per year)
	50 acre-feet
Acres for Seed	8 acres (at 1.6 acre-feet per year)
	12 acre-feet
	<hr/> 425.24 acre-feet
Less Storage Capacity	125 acre-feet
	<hr/> 330.24 acre-feet

Estimated amounts of water pumped by the Debenedetti Ranch are as follows:

<u>Y e a r</u>	<u>PG&E KW Hr.</u>	<u>Acre Feet Used Per Year</u>
(We have been unable to obtain pumping data prior to 1950)		
1950	35,000	310
1951	34,380	304
1952	34,678	307
1953	29,458	261
1954	29,922	265
1955	35,148	311
1956	28,266	250
1957	30,788	272
1958	40,316	357
1959	33,842	300
1960	33,840	300
1969 (9 Mos)	19,975	158
1970	35,743	282
1971	34,415	272
1972	31,517	249
1973	32,889	260

1974	20,269	160
1975	46,095	364
1976	51,748	409
1977 (8 Mos)	27,490	217
Average	36,097	2 8 5

NOTE: The amounts listed above were limited by the amount of water available.

Proof No. 21 - Kings Mountain Mutual Water Company, 121 Phillips Lane, Woodside, California 94062, claims water from two unnamed springs located within the watershed of Purisima Creek through a pump and pipeline and regulation storage system by a claim of appropriation of 1924 priority and prescription as follows:

8,250 gallons per day all year for domestic use at 25 homes and a school with 50 students located within projected Section 8, T6S, R4W, MDB&M.

Findings of the Board Regarding Proofs of Claim

The law requires the Board to note separately any material differences between the claims and the factual determination made by the representatives of the Board during the investigation. A summary of such difference follows:

Proof No. 1 - None

Proof No. 2 - None

Proof No. 3 - None

Proof No. 4 - Claimant Mintie Uwanna Tramel who filed Claim No. 4 in the proceeding claiming riparian rights to water from Purisima Creek on lands not presently contiguous to the stream and no reservation has been granted by deed or by implication. No right, title or interest in or to the waters of Purisima Creek was found.

Proof No. 6 - None

Proof No. 7 - None

Proof No. 8 - None

Proof No. 9 - No claim of right was made. Further inquiry into this matter found that the property was served with water prior to being separated from the stream, therefore an implied reservation of the riparian right was found.

Proof No. 10 - None

Proof No. 11 - None

Pr-of No. 12 - Charles A. Black and Mary Alice Black filed Proof No. 12 claiming, among other rights, a riparian right to irrigate 3 acres on the southeast side of Purisima Creek Road. The entire parcel on the southeast side of the road contains approximately 3 acres, the boundaries of which run along the center of Purisima Creek and the centerline of the road. It also contains a residence, driveway, stables and corral. Schedules 1 and 3

therefore show one acre of irrigated land and Schedule 3 provides for domestic use inside the residence and up to one-half acre of domestic irrigation.

Proof No. 13 - None

Proof No. 14 - None

Proof No. 15 - None

Proof No. 16 - None

Proof No. 17 - Among other claims the S. H. Cowell Foundation claimed approximately 300 acres as a future place of use. Only 190 acres was found to lie within the watershed of Purisima Creek.

Proof No. 18 - None

Proof No. 19 - William T. Wilkins submitted a claim for 98 gallons per minute (141,000 gallons per day) under riparian rights for proposed domestic use on 470 undeveloped lots. The court should reserve jurisdiction over this unexercised right by requiring claimant to apply to the State Water Resources Control Board prior to exercising such right which, after investigation, will recommend to the court that a supplemental decree defining and quantifying each proposed diversion be entered. Allotments under this claim, when defined and quantified, should be granted first priority status.

Proof No. 20 - None

Proof No. 21 - None

NOTE: Lloyd R. and Lila T. Beavers, Robert and Margaret Peter, William E. and Judith C. Johnson, Michael J. Kinsch **Jr.** and Karen P. Schrier and Edward Robert Williams have filed claims of riparian right to the waters of Purisima Creek. Parcels of the claimants have been severed from the creek. However, by reason of deeded access to the creek either in fee title or by easement, for the purposes of installation, maintenance, replacement and repair of diversion facilities the claimants' riparian rights have been retained by implied reservation.

SECTION III
PRELIMINARY ORDER OF DETERMINATION
PURISIMA CREEK STREAM SYSTEM
PURISIMA CREEK ADJUDICATION
SAN MATEO COUNTY - CALIFORNIA

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD



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of claim to the use of water involved in the proceedings, that a detailed field investigation of such persons' use of water would be conducted.

At the conclusion of the detailed field investigation each claimant, or a representative, was provided by registered mail forms and a copy of the factual findings of the investigation for use in preparing a proof of claim .

An investigation was also conducted of the water supply in the stream system and the facts were gathered, along with the information from the investigation of use of water, assembled, filed and made of record with the Board.

The Board reduced its observations, data, information, and measurements to writing in Section I, Water Supply and Use of Water on Purisima Creek Stream System of its Report on Purisima Creek Adjudication. The Board also prepared maps from the surveys made during the course of the investigation in accordance with uniform rules adopted by the Board, which surveys and maps show with substantial accuracy the course of the stream system involved in the proceeding, the location of each pump and/or conduit diverting water therefrom and the land irrigated by each conduit. These maps were prepared by the Board as the surveys and observations progressed and, when completed, were filed and made of record with the Board.

All proofs of claim which had been filed were assembled and an abstract was prepared and printed in accordance with provisions of the Water Code.

NOW, THEREFORE, IT IS ORDERED that the several rights, in and to the use of water of Purisima Creek Stream System, in San Mateo County, California, are determined and established to be as hereinafter set forth.

Definitions

1. The term "Water Code" means the State of California Water Code.
2. The term "Stream System" means the Purisima Creek Stream System. It includes Purisima Creek, Whittemore Gulch, other tributaries from their headwaters to the outflow into the Pacific Ocean in San Mateo County, California, and water in subterranean streams which flow in known and definite channels and which contribute to the Purisima Creek Stream System.
3. The term "claimant" means a party who has filed a proof of claim of water right in and to the use of water of Purisima Creek Stream System, or who, having failed or refused to file such a proof-of claim properly, has had his right determined pursuant to provisions of Water Code Section 2577.
4. The term "directly apply to beneficial use" means the direct conveyance and application of water diverted to beneficial use without intermediate storage, except such reasonable regulatory storage as may be practiced for the purpose of creating a convenient head for irrigation or other beneficial use allowed herein.
5. The term "natural flow" means such flow as will occur at the point in a stream from the runoff of the watershed which it drains, from springs and seepage which naturally contribute to the stream, and from waste and return flow from dams, conduits, and irrigated lands, as distinguished from water released directly from storage for redirection and use, or water imported from another watershed which is released directly to the natural channel for conveyance to the place of beneficial use.
6. The term "watershed" means the drainage area or region which contributes to the water supply of a stream or lake. For the purpose of this order, the watershed boundary of Purisima Creek has been delineated as

a line separating the major stream watersheds assuming the absence of the ocean and ignoring minor areas of local erosion.

State Water Resources Control Board Map

7. The State Water Resources Control Board map, hereinafter referred to as SWRCB map, is prepared by the Board from surveys made in 1978 and 1979. It is entitled "Purisima Creek Stream System, Showing Diversions and Irrigated Lands, San Mateo County, California, Dated 1979" and is on file in this proceeding. The SWRCB map comprises one sheet which is incorporated and attached herein.

General Entitlement

8. The several claimants in this proceeding are entitled to the use of water of Purisima Creek Stream System on their lands described under their respective names in Schedule 1, and shown on the SWRCB map, from points of diversion described in Schedule 2, during the periods of time specified in the paragraph entitled "Seasons of Use" and in the amounts allotted from the various sources under the priorities and for the uses set forth after their respective names in Schedule 3. The points of measurement of the amounts of water allotted shall be at the points of diversion from the stream system unless otherwise specified. Nothing herein contained shall, or shall be construed to, allocate to any claimant a right to divert from Purisima Creek Stream System, at any time, a quantity of water in excess of an amount reasonably necessary for his beneficial use, nor to permit him to exercise his right in such a manner as to unreasonably impair quality of the natural flow.

Priority Classes

9. The term "priority class" when used herein means, except as expressly qualified with respect to fourth priority class, a class of rights

each one of which is equal in priority and correlative in right with all other rights of the same class appearing within the schedule, so that in the event of availability of water sufficient to supply only part of the entitlement of any specific priority class, said available supply shall be prorated in accordance with allotments in that priority class. No priority class is entitled to the use of any water until all rights of all priority classes with lower numbers have been fully satisfied. Thus, within the same schedule, all rights of the Second Priority Class are inferior in priority and subordinate to all rights of the First Priority Class, but are superior in priority and entitled to full satisfaction ahead of the Third Priority Class. Claimants of irrigation rights for dormant riparian lands are entitled to divert allotments in Fifth Priority Class shown in Schedule 3, to their places of use shown in Schedule 1, through proposed points of diversion specified in Schedule 2 or as these may be provided by claimants in the future to divert water adequately for irrigation of said lands without interference with superior rights.

Post-1914 Appropriations

10. Post-1914 appropriative rights are contained in a Fourth Priority Class. The relative order of individual priority of the fourth priority class is established by the date of filing of the application to appropriate water. Jurisdiction over incomplete appropriations remains with the Board. When license is issued the licensee or the Board may petition the court for a supplemental decree confirming the right in accordance with the license. These incomplete appropriations may be summarized as follows:

a. Lindsay Mickles is entitled to collect and store 25 acre-feet of water at Diversion Points 6, 7, 8 and 9 from December 1 of each year to May 1 of the succeeding year as provided by and subject to the

conditions of Permit 17312 (Application 24619).

b. The County of San Mateo has filed Application 25994 to appropriate 0.92 acre-foot of water from Purisima Creek from May 1 to June 30 and September 1 to October 31 of each year for dust prevention on County roads.

c. The San Mateo County Junior College District has filed Application 26059 to appropriate 17 acre-feet of water to be collected to storage at Diversion Point 33 on a tributary of Purisima Creek from October 1 of each year to April 30 of the succeeding year for irrigation of 30 acres.

Seasons of Use

11. Allotments for irrigation shall be for continuous use from March 1 to October 31 of each year. Allotments for domestic and stockwatering purposes shall be for continuous use throughout the year.

Domestic and Stockwatering Use

12. Domestic use is limited to water applied exclusively for household purposes, watering of domestic animals and irrigation of up to one-half acre of yard, garden and/or family orchard. Use for stockwatering is limited to water required by commercial livestock. All allotments in First Priority Class in Schedule 3 are solely for domestic and stockwatering purposes.

Irrigation Use

13. Irrigation use is limited to the application of water for the purpose of meeting moisture requirements of growing crops. All allotments

for present irrigation of riparian lands or where diversion facilities have been installed for such irrigation are in second priority class. Allotments for irrigation under Pre-1914 appropriative rights are in third priority class. Allotments for future irrigation of riparian lands are in fifth priority class.

Combined Uses

14. Claimants diverting water under allotments for irrigation use are entitled to use water for domestic and stockwatering purposes incidental to the aforesaid major uses but are not entitled to divert in addition thereto their First Priority allotments for domestic and/or stockwatering use unless the supply available under the inferior priority class allotment is insufficient to provide such incidental needs. In such event, the First Priority allotment is to be measured at the point of use.

Equivalent Flow to Provide Adequate Head

15. Although all quantities of water allotted to the several claimants for direct application to beneficial use in Schedule 3 are severally expressed in terms of continuous flow, nevertheless, except as otherwise provided in this paragraph and the following paragraph "Distribution of Second Priority Allotment" nothing herein contained shall be construed as limiting or restricting the right of any such claimant to rotate in the use of water with other related rights in the same stream group or to divert for limited periods of time "heads" convenient for the specified purpose of use and thus apply water to his place of use at a greater rate than indicated by the quantity of continuous flow so allotted; provided that such practice of rotation or use of a convenient "head" shall not result in the use by any such claimant of a total quantity of water during any thirty-day period in excess of the equivalent of claimant's continuous allowance; and provided further

that such practice of rotation or use of convenient "heads" shall not cause an unreasonable interference in the regime and quantity of available natural flow to which others are entitled or which would adversely impact on the existing fisheries.

Distribution of Second Priority Allotments

16. When flow in Purisima Creek is not adequate to satisfy all Second Priority Rights all parties having such allotments should participate in a distribution program.

The distribution schedule is based on the following.

<u>a. Claimant</u>	<u>Irrigated Acreage.</u>
Mickles	11
Black	1
Williams	6
Peter	2
Béffa	73
Layne	18
Elkus	20
DeBenedetti	181
Cowell Foundation	68
TOTAL	386

b. All water users upstream from Diversion 29 shall limit their irrigation to five (5) days per week.

c. All water users downstream from Diversion 28 may irrigate everyday with the remaining water after the upper users have diverted their shares.

d. Shares are determined by the number of acres irrigated under riparian claim of right.

e. Each acre is entitled each week to the equivalent of the full flow of the creek for 0.44 hours ($\frac{168 \text{ hours per week}}{380 \text{ riparian acres irrigated}} = 0.44 \text{ hrs per acre per week}$)

f. The water users upstream from Diversion 29 having a pumping capacity less than the flow of the creek, should be allowed to pump for a longer period provided that the total amount of water diverted during any calendar week does not exceed the equivalent continuous flow allowance and provided further that such practice does not cause an unreasonable interference with the diversions of others.

In accordance with the above, individual allotments are as follows: (time periods are rounded off to the nearest 1/4 hour with a minimum period of time of 1/4 hour).

Mickles - $0.44 \times 11 = 4.85$ hours per week or 0.97 hours per day Monday through Friday (7:00 a.m. to 8:00 a.m.)

Black - $0.44 \times 1 = 0.44$ hours per week or 0.09 hours per day Monday through Friday (8:15 a.m. to 8:30 a.m.)

Williams. - $0.44 \times 6 = 2.64$ hours per week or 0.525 hours per day Monday through Friday. (8:45 a.m. to 9:15 a.m.)

Peter - $0.44 \times 2 = 0.88$ hours per week or 0.176 hours per day Monday through Friday (9:30 a.m. to 9:45 a.m.)

Beffa - $0.44 \times 73 = 32.1$ hours per week or 6.42 hours per day Monday through Friday (10:00 a.m. to 4:30 p.m.)

Layne - $0.44 \times 18 = 7.94$ hours per week or 1.58 hours per day Monday through Friday (5:00 p.m. to 6:30 p.m.)

Elkus - $0.44 \times 20 = 8.8$ hours per week or 1176 hours per day Monday through Friday (7:00 p.m. to 8:30 p.m.)

The remaining water is to be divided between Debenedetti and S. H. Cowell

Foundation $\frac{368}{249} = 0.675$ hours per acre per week

Debenedetti $0.675 \times 181 = 122$ hours (2:00 p.m. Tuesday to 4:00 p.m. Sunday)

S. H. Cowell Foundation - $0.675 \times 68 = 46$ hours (4:00 p.m. Sunday to 2:00 p.m. Tuesday)

Times are allocated to Debenedetti and S. H. Cowell Foundation for the week-end from 8:30 p.m. Friday to 7:00 a.m. Monday approximately prorated according to their respective irrigated riparian acreage.

Since the S. H. Cowell Foundation point of diversion is the last one on Purisima Creek before the stream flows into the ocean, it will be allowed to pump all water available at that point at all times.

Special Provisions

17. In Schedule 3 all uses of water for domestic purposes are allotted first priority rights in accordance with Water Code Section 106.

18. J. L. Debenedetti et al and S. H. Cowell Foundation claim Pre-1914 appropriation with priority of 1910. Rights to divert water to non-riparian lands presently being irrigated under pre-1914 appropriative rights are assigned third priority status in Schedule 3.

19. Section 2; Article X of the California Constitution prohibits unreasonable use, unreasonable method of use or unreasonable method of diversion of water. Use of water on lower class riparian lands not presently irrigated is considered to be unreasonable when supply is inadequate and use should be allowed only when water is surplus to the demands for presently developed land. Therefore, the rights to divert water to dormant riparian land are assigned fifth priority status in Schedule 3.

Changes in the Exercise of Rights

20. The court should provide that any party who wishes to change or modify the exercise of his rights set forth in the decree may request

the Board to investigate said change or modification. The Board shall notify all affected parties of its investigation and give them an opportunity to object to the proposed change. If any affected party objects to the proposed change or modification, the Board shall hold a hearing or other proceedings in lieu of hearing. Following its investigation the Board shall file its report which determines whether the proposed change or modification is in accordance with applicable law and which makes a recommendation regarding changes or modifications of the decree. Any changes or modifications of the decree recommended by the Board shall be entered, subject to court review and approval, as a supplemental decree. The Board shall be entitled to receive reimbursement for its expenses of such investigation. Proceedings on the apportionment of the expense shall be as nearly as may be in accordance with the provisions of Article 13, Chapter 3, Part 3, Division 2 of the Water Code, commencing with Section 2850. Nothing in this paragraph shall restrict any right which any person may have under any statute or common law to change or modify the exercise of his rights set forth in the decree.

Water Rights Disputes in Watermaster Service Area

21. The Court should require that, when the decree has been entered and when a watermaster service area is created in accordance with applicable law, the watermaster shall distribute the water in accordance with the decree. If a water rights dispute arises between users, the watermaster shall regulate those diversions as set forth in the decree and as necessary to settle the dispute. Any party who alleges that the watermaster is not regulating his water right in accordance with the decree may apply to the Board to investigate said allegations. The Board shall notify all affected parties of its investigation and give them an opportunity

to respond to the allegations. If any affected party requests a hearing or other proceedings in lieu of hearing, the Board shall duly notice and schedule a hearing or other proceedings in lieu of hearing. Following its investigation the Board shall file its report which determines whether the watermaster has regulated the water right in accordance with the decree and which makes its recommendation to the Court for any change, modification, or clarification of the decree. Any change, modification, or clarification of the decree recommended by the Board shall be entered, subject to Court review and approval, as a supplemental decree. The Board shall be entitled to receive reimbursement for its expense of such investigation. Proceedings on the apportionment of expenses shall be as nearly as may be in accordance with the provisions of Article 13, Chapter 3, Part 3, Division 2 of the Water Code, commencing with Section 2850. Nothing in this paragraph shall restrict any right which any person may have under any statute or common law to seek enforcement of this decree or to seek any other relief.

Reserved Jurisdiction

22. The court should reserve continuing jurisdiction, upon application of any party hereto, or successor in interest thereto, or upon its own motion or the motion of the State Water Resources Control Board to review its decree and to change or modify the same as the interests of justice may require.

Effect of the Decree

23. The court should require that when the decree has been entered, each and every claimant, his or her agents, successors, grantees and assigns, be and hereby are perpetually enjoined and restrained from doing anything in violation of the terms or provisions of the judgment and decree, and from

diverting any water from said Purisima Creek stream system as defined herein at any time in excess of a quantity reasonably necessary for, and actually applied to, reasonable beneficial use, under and by reasonable methods of diversion and use, and from doing anything, directly or indirectly, that will obstruct or interfere with any right of another adjudged and decreed herein.

24. The court should require that when the decree is entered, it be conclusive and determine all existing rights in the Purisima Creek stream system as defined herein.

25. The court should require that when the decree is entered, this judgment supersedes and modifies all inconsistent former judgments and decrees as to the rights to the flow of the Purisima Creek stream system. However, the judgment does not supersede rotation or ditch agreements consistent herewith.

26. The court should require in the decree that licenses initiated by application under provisions of the Water Commission Act or the Water Code shall continue to be administered by the Board as in other cases. Upon revocation or authorized change in any license by the Board pursuant to Chapter 10 (commencing with Section 1700), Part 2, of Division 2 of the Water Code, if court review is sought, and upon motion of the licensee or the Board, the court shall enter a supplemental decree confirming the Board's action.

27. The court should require that when the decree has been entered, any claimant who has failed to appear and submit proof of his claim as provided in Chapter 3, Part 3 of Division 2 of the Water Code, shall be barred and estopped from subsequently asserting any rights heretofore acquired upon the Purisima Creek stream system as defined herein and has forfeited all rights

to water heretofore claimed by him on said stream system, other than as provided in the decree, unless entitled to relief under the laws of this State.

Statements of Diversion and Use

28. All persons diverting water under water rights other than appropriative water rights initiated after December 19, 1914, are required to file Statements of Diversion and Use in accordance with Part 5.1 of Division 2 of the Water Code commencing with Section 5100,

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Schedule 1
Description of Places of Use
of Water From Purisima Creek Stream System

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township:Range</u>	
			<u>MDB</u>	<u>&M</u>
<u>Allen, Robert H.</u>				
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
<u>Beavers, Lloyd R. & Lila L.</u>				
Domestic	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
9	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
3	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
2	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
1	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
15*	TOTAL			
<u>Beffa, Clyde E. et al</u>				
2	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
12	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
6	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
20	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
1	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
11	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	6S	5W
2	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
13	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	15	6S	5W
7 3	TOTAL			
47*		10,11,15	6S	5W
<u>Black, Charles A. & Mary A.</u>				
1	N $\frac{1}{2}$ of NW $\frac{1}{4}$	11	6S	5W
6*	N $\frac{1}{2}$ of NW $\frac{1}{4}$	11	6S	5W
<u>Cowell, S. H. Foundation</u>				
11	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
12	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
3	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	16	6S	5W
21	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
17	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
4	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W
68				

* Dormant Riparian lands

Schedule 1 (Cont'd)
 Description of Places of Use
 of Water From Purisima Creek Stream System

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township:Range</u>	
			<u>MD&M</u>	
<u>Cowell, S. H. Foundation (Cont'd)</u>				
24	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	8	6S	5W
36	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	8	6S	5W
10	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	8	6S	5W
2	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	16	6S	5W
3	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
2	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	17	6S	5W
28	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W
19	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W
23	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W
39	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	17	6S	5W
4	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	17	6S	5W
-1-m-	TOTAL			
270 *		16, 21	6S	5W

Debenedetti, J. L. et al

5	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 20	6S	5W
26	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5W
28	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5W
16	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5W
35	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	Proj. 21	6S	5W
9	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
2	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
12	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
27	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
1	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
6	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	Proj. 21	6S	5W
<u>181</u>	TOTAL			
10	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
18	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
<u>5</u>	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 21	6S	5W
47	TOTAL			

* Dormant Riparian Lands

Schedule 1 (Cont'd)

Description of Places of Use
of Water From Purisima Creek Stream System

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township:Range</u>	
			<u>MDB&M</u>	
<u>Debenedetti, J. L. et al (Cont'd)</u>				
2	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	Proj. 21	6S	5W
6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	Proj. 16	6S	5W
12	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 15	6S	5W
11	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	Proj. 15		
<u>31*</u>	TOTAL			
<u>Edwards, Ira T. and Jean B.</u>				
Domestic	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5W
5*	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5W
<u>Elkus, Richard J. & Ruth K.</u>				
7	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
5	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
<u>8</u>	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	15	6S	5W
20	TOTAL			
<u>Etienne, John R. & Carolyn</u>				
Domestic	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	6	6S	4W
Domestic	W $\frac{1}{2}$ of NW $\frac{1}{4}$	5	6S	4W
<u>Fahy, Ronald D. and Carol</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
$\frac{1}{2}$	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
<u>Johnson, William E. and Judith C.</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	1	6S	5W
Domestic	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
2 *	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
<u>KingsMountain Mutual Water Company</u>				
Domestic	S $\frac{1}{2}$	Proj. 8	6S	4W
<u>Kinsch, Michael J., Jr., and Karen P. Shrier</u>				
Domestic	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
Domestic	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W
13 *	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	10	6S	5W

Schedule 1 (Cont'd)

Description of Places of Use
of Water From Purisima Creek Stream System.

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township:Range</u>	
			<u>MDB</u>	<u>&M</u>
<u>Layne, Donald M.</u>				
3	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
13	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	15	6S	5W
2	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	15	6S	5W
<u>18</u>	TOTAL			
<u>Mickles, Lindsay</u>				
2	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
9	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
<u>11</u>	TOTAL			
<u>Mickles, Lindsay</u>				
45	NW $\frac{1}{4}$	11	6S	5W
5	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	11	6S	5W
20	W $\frac{1}{2}$ of NE $\frac{1}{4}$	11	6S	5W
<u>70*</u>	TOTAL			
<u>Minaidis, John Jr., and Tom and June</u>				
Domestic	N $\frac{1}{2}$ of SE $\frac{1}{4}$	2	6S	5W
<u>Moran, Margaret A.</u>				
Domestic	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	21	6S	5W
<u>Peter, Robert & Margaret</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5W
Domestic	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5W
2	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	10	6S	5W
<u>San Mateo Community College District</u>				
11	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
10	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
4	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
5	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	16	6S	5W
<u>30</u>	TOTAL			

*Dormant riparian lands.

Schedule 1 (Cont'd)
 Description of Places of Use
 of Water from Purisima Creek Stream System

<u>Acres</u>	<u>Subdivision</u>	<u>Section</u>	<u>Township:Range</u>	
			<u>MDB</u>	<u>M</u>
<u>Saleme, R. E. and Barbara A.</u>				
2 Domestic	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
8 Domestic	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	2	6S	5w
3 Domestic	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	2	6S	5w
<u>13*</u>	TOTAL			
<u>Sierra Morena Springs Water Company</u>				
Domestic	N $\frac{1}{2}$ of NE $\frac{1}{4}$	6	6S	4w
Domestic	NW $\frac{1}{4}$	5	6S	4w
<u>University of California Regents</u>				
Domestic	S $\frac{1}{2}$ of NW $\frac{1}{4}$	Proj. 15	6S	5W
40*		Proj. 15	6S	5w
<u>Wilkins, William T.</u>				
Domestic		6,7,8	6S	4W
		1,12	6S	5W
<u>Williams, Edward R.</u>				
Domestic	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W
6	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	11	6S	5W

* Dormant Riparian Lands

NOTE: Section lines have been projected into the Rancho Canada Verde and lands within that grant are described above as being within sections as projected.

Schedule 2

Location of Points of Diverston

Name of Diverston System	Number of diversion on State Water Resources Control Board Map	Location of point of diversion			
		Legal sub-divi- sion in which diversion occurs MDB&M	Reference corner for distance and bearing MDB&M	Bearing from Reference Corner	Distance from reference corner in feet
Kings Mountain 1A Mutual Water Co. Pump #1		NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 8 T6S R4W	NW Corner Sec. 8	S37 $^{\circ}$ E	4900'
Kings Mountain 1B Mutual Water Co. Pump #2		NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 8 T6S R4W	NW Corner Sec. 8	S38 $^{\circ}$ E	3550'
Etienne and Sierra Morena Spring Water Co. pump	2	NW $\frac{1}{2}$ of NW $\frac{1}{2}$ Sec. 5, T6S R4W	NW Corner Section 5	S12 $^{\circ}$ E	1300'
Wilkins (Proposed)	3	Partial- & Proj- ected sections 5,6,7,8 & 9, T6S, R4W; Sec- tions 1& 2 and partial & proj- ected sections 11 & 12 T6S, R5W,			
Edwards (Proposed)	4	SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec 2, T6S, R5W			
Mi nai di s Pump	5	SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 2, T6S, R5W	SE Corner Sec. 2	N59 $^{\circ}$ W	1500'
Saleme (Proposed)	6	SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 2, T6S, R5W			
Mi ckl es	7	NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 11, T6S R5W	N $\frac{1}{4}$ Corner Section 11	S33 $^{\circ}$ W	900'
Mi ckl es Reservoir #1	8	NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S40 $^{\circ}$ E	1300'
Mi ckl es Reservoir #2	9	SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S30 $^{\circ}$ E	1750'
Mi ckl es Reservoir #3	10	SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Corner Section 11	S19 $^{\circ}$ E	2650'
Mi ckl es Reservoir #4	11	NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Proj. Sec. 11, T6S, R5W	N $\frac{1}{4}$ Cdrner	S12 $^{\circ}$ W	2900'

III-O?

Schedule 2 (cont'd)

Location of Points of Diversion

Name of Diversion System	Number of diversion on State Water Resources Control Board Map	Location of point of diversion			
		Legal sub-division in which diversion occurs MDB&M	Reference Corner for Distance and Bearing MDB&M	Bearing from Reference Corner	Distance from Reference -Corner in feet
Black Domestic Pump	12	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S, R5W	NW Corner Section 11	S52 $^{\circ}$ E	1900
Black Irrigation Pump	13	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S52 $^{\circ}$ E	1900'
Fahy Pump	14	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S42 $^{\circ}$ E	1650'
Williams Pump	15	NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S38 $^{\circ}$ E	1650'
Beffa Pump #1	16	SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 11, T6S R5W	NW Corner Section 11	S2 $^{\circ}$ E	2100'
Johnson Pump	17	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Kinsch-Shrier Pump (Proposed)	18	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S, R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Peter Pump	19	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Beavers Pump	20	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T6S, R5W	NE Corner Section 10	S9 $^{\circ}$ W	2450'
Beffa Pump #2	21	NE $\frac{1}{4}$ of SEC Sec. 10, T6S R5W	SE Corner Section 10	N23 $\frac{1}{2}$ $^{\circ}$ W	2000'
Beffa Pump #3	22	SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 10, T6S R5W	SE Corner Section 10	N60 $^{\circ}$ W	1720'
Beffa Pump #4	23	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	NE Corner Section 15	S72 $^{\circ}$ W	2125'

Schedule 2 (cont'd)

Location of Points of Diversion

Name of Diversion System	Number of diversion on State Water Resources Control Board Map	Legal sub-division in which diversion occurs MDB&M	Reference Corner for distance and Bearing MDB&M	Bearing from Reference Corner	Distance from Reference Corner In Feet
Allen Pump	24	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	NE Corner Section 15	S69 $^{\circ}$ W	2450'
Univ of Calif. Regents Pump	25	SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S1 $^{\circ}$ E	1440'
Layne Domestic Pump	26	SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S5 $^{\circ}$ W	1600'
Layne Irrigation Pump	27	SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 15, T6S R5W	N $\frac{1}{4}$ Corner Section 15	S5 $^{\circ}$ W	1600'
Elkus Movable Pump	28	SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 15, T6S R5W			
S. H. Cowell Foundation Proposed Domestic Pump	29	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	N $\frac{1}{4}$ Corner Section 21	S34 $^{\circ}$ E	1050'
Moran	30	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	N $\frac{1}{4}$ Corner Section 21	S34 $^{\circ}$ E	1050'
Debenedetti, et al 31 Irrigation Pump		NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 21, T6S, R5W	N $\frac{1}{4}$ Corner Section 21	S29 $^{\circ}$ E	1100'
Debenedetti, et al 32 Domestic. Pump		NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 21, T6S R5W	NC, Corner Section 21	S29 $^{\circ}$ E	1100'
San Mateo Conun. College District Reservoir	33	SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 16, T6S R5W	SW Corner Section 16	N80 $^{\circ}$ E	1650'
S. H. Cowell Foundation Pump	34	NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 20, T6S R5W	NE Corner Section 20	S70 $^{\circ}$ W	300'

SCHEDULE 3

ALLOTMENTS TO VARIOUS CLAIMANTS
FROM PURI SIMA CREEK STREAM SYSTEM

Name of Claimant	Diver- sion No. on SWRCB Map	Use	Area ' Served in Acres	Allotments in Gallons per Minute					TOTAL AMOUNT
				FIRST Pri- ority	SECOND Pri- ority	THI RD Pri- ority	FOURTH Pri- ority	FI FTH Pri- ority	
Kings Mountain Mutual Water Co.	1A & 1B	Dom		6					6
Etienne, John R. et al.	2	Dom		7					7
Wilkins, William T.	3	Dom		98*					98
Edwards, Ira T. & Jean B.	4	Dom Irr	5	3				13	16
Minaidis, John Jr. & Minaidis, Tom and June	5	Dom		0.44 (L9456, A18508)					
Saleme, R. E. & Barbara A.	6	Dom Irr	13	3				33	36
Mickles, Lindsay	7	Dom Stk Irr Irr	11 70	3 2		27			206
Mickles, Lindsay	8,9, 10, 11						(P17312, A24619)**		
Black, Charles A. & Mary A.	12 13	Dom & Stk Irr Irr	1 6	3		3		15	21

* This allotment is for a dormant riparian right for domestic use on 470 lots. This allotment shall not be exercised until the court has approved a modification in the exercise of said right. The claimant may request said modification in accordance with the procedure set forth in paragraph 20 'of the order.' In any event, the maximum use on each lot shall not exceed 300 gpd.

** See Post-1914 Appropriation - Page III-6

SCHEDULE 3

ALLOTMENTS TO VARIOUS CLAIMANTS
FROM PURISIMA CREEK STREAM SYSTEM

Name of Claimant	Diver- sion No. on SWRCB Map	Use	Area Served in Acres	Allotments in Gallons per Minute					TOTAL AMOUNT
				FIRST Pri- ority	SECOND Pri- ority	THIRD Pri- ority	FOURTH Pri- ority	FIFTH Pri- ority	
Fahy, Ronald & Carol	14	Dom Irr	½	3	1				4
Williams, Edward P.	15	Dom Irr	6	3	15				18
Beffa, Clyde E., et al.	16,21 22, 23	Dam & Stk Irr Irr	73 47	6 3	183			118	310
Johnson, William E. & Judith C.	17	Dom & Stk Irr	2	3				5	8
Kinsch, Michael J. Jr. and Shrier, Karen P.	18	Dom & Stk Irr	1.3	3				32	35
Peter, Robert & Margaret	19	Dom & Stk Irr	2	3	5				8
Beavers, Lloyd R. and Lila L.	20	Dom & Stk Irr	15	3				38	41
Allen, Robert H.	24	Dom		3					3
Regents, Univ. of California.	25	Dom Stk Irr	40	4 4				100	108
Layne, Donald M.	26,27	Dom Irr Irr	18 224		3 45			560	608
Elkus, Richard J. and Ruth K.	28	Dom Stk Irr Irr	20 80	3 2	5	0		220	275

SCHEDULE 3

ALLOTMENTS TO VARIOUS CLAIMANTS
FROM PURISIMA CREEK STREAM SYSTEM

Name of Claimant	Diver- sion No. on SWRCB Map	Use	Area Served in Acres	Allotments in Gallons per Minute					TOTAL AMOUNT
				FIRST Pri- ority	SECOND Pri- ority	THIRD Pri- ority	FOURTH Pri- ority	FIFTH Pri- ority	
S. H. Cowell Foundation	29	Dom		3					3
Moran, Margaret A.	30	Dom		3					3
Debenedetti, J. L., Jr., et al	31	Irr Irr Irr	181 47 31		455	117		76	648
Debenedetti, J.L. Jr., et al	32	Dom		9					9
San Mateo Junior College District	33						*A26059		
S. H. Cowell Foundation	34	Dom Irr Irr		9		170	474		672
			100 270						1325

* See Post-1914 Appropriations

A P P E N D I X

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

IN THE MATTER OF DETERMINATION OF THE)
RIGHTS OF THE VARIOUS CLAIMANTS TO)
THE WATERS OF PURISIMA CREEK AND ITS)
TRIBUTARIES IN SAN MATEO COUNTY,)
CALIFORNIA)

ORDER GRANTING PETITION
FOR DETERMINATION OF
WATER RIGHTS

ORDER W. R. 77-14

WHEREAS, :

1. J. L. De Benedetti, Fredrica H. De Benedetti, John L. De Benedetti III, Jane B. Quistgard and S. H. Cowell Foundation have filed a petition with the State Water Resources Control Board pursuant to Water Code Section 2525 requesting determination of the rights of the various claimants to the waters of Purisima Creek stream system tributary to the Pacific Ocean in San Mateo County, California.

2 . The Board has made an investigation to determine the public interest and necessity for a statutory adjudication on Purisima Creek in San Mateo County and the findings of this investigation are summarized in the document entitled, "Report of Preliminary Investigation to Determine the Public Interest And Necessity Fur a Statutory Adjudication On Purisima Creek in San Mateo County" (November 1977).

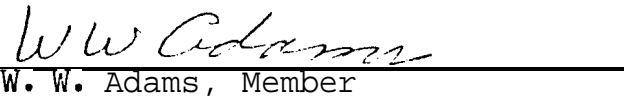
3. The Board has reviewed the subject report and finds the following:

NOW, THEREFORE, IT IS ORDERED that said petition be, and it is hereby granted and it is further ordered that the investigation of said stream system shall begin on December 15, 1977 and all claimants shall notify the Board in writing by February 13, 1978 of their intention to file proofs of claim.

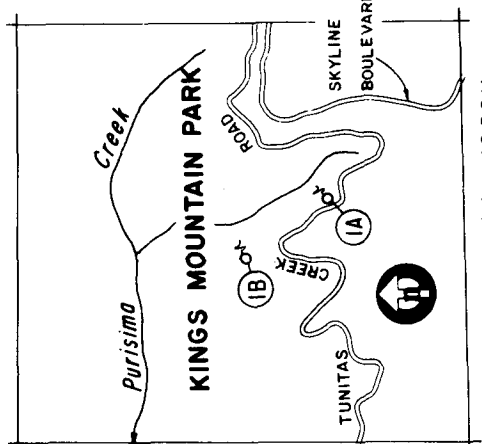
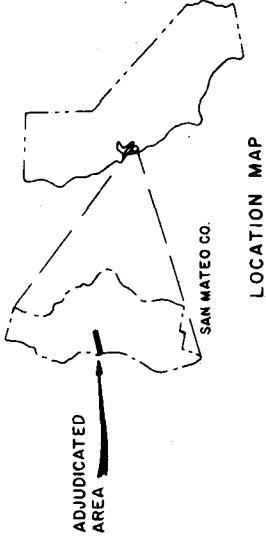
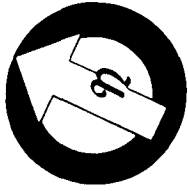
Dated: OEC 15 1977


John E. Bryson, Chairman

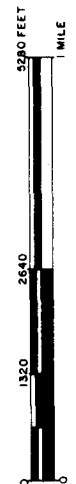

W. Don Maughan, Vice Chairman


W. W. Adams, Member

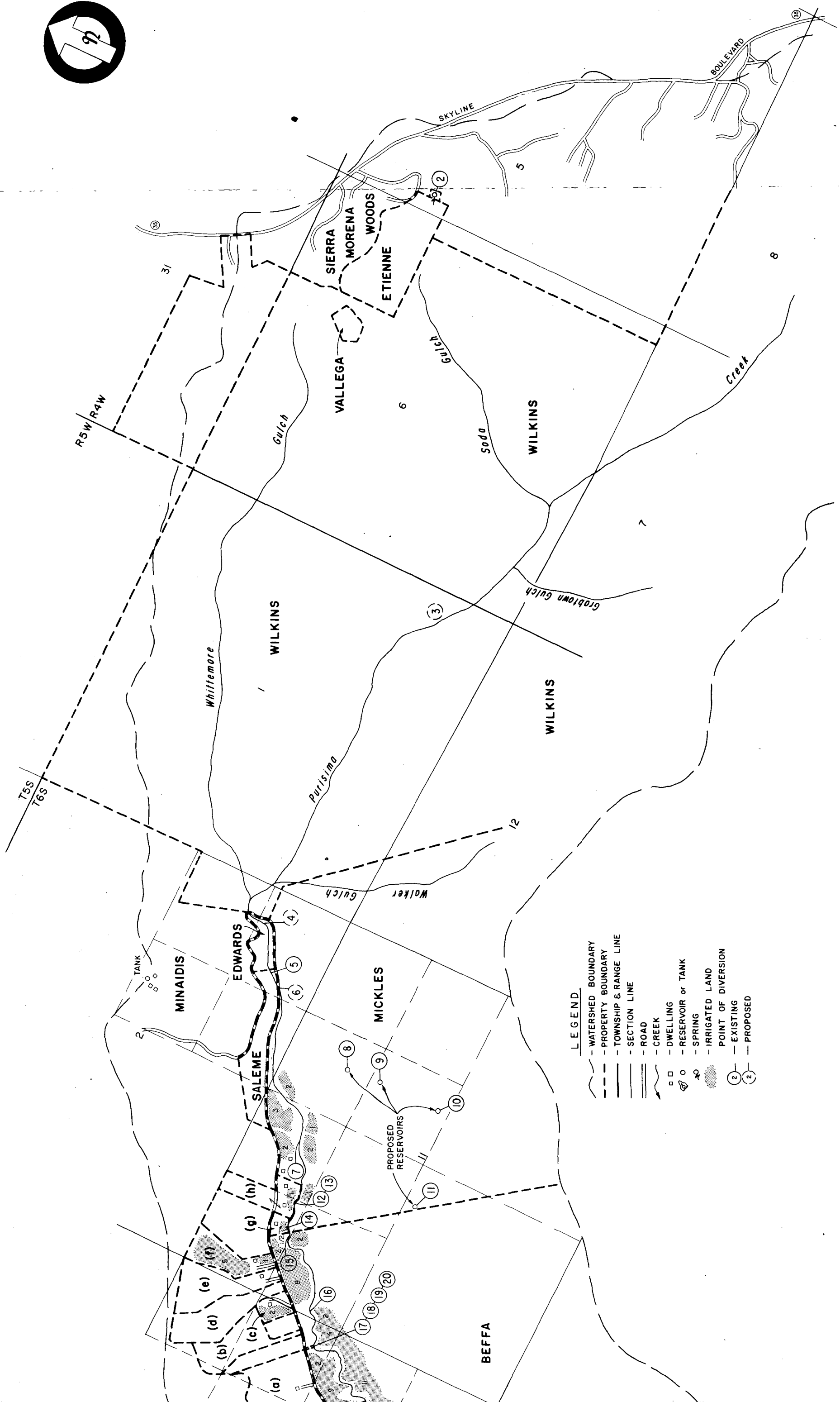
- a. Purisima Creek drains a watershed of about 6,000 acres in the Central Coastal Region. It flows into the Pacific Ocean about four miles south of the community of Half Moon Bay;
- b. Water from Purisima Creek is used for domestic use and for irrigation of crops such as pasture, brussel sprouts, artichokes and flowers. An owner of property upstream of the present irrigation intends to subdivide his property within the Purisima Creek watershed and to use water from said creek to supply this prospective domestic use;
- c. There is presently more land developed for irrigation than can be irrigated in a year of normal stream flow;
- d. With the low flow in the summer of 1977 controversy between upstream users of water and downstream users has arisen; and
- e. The facts and conditions are such that the public interest and necessity will be served by a determination of all the rights to the waters of the Purisima Creek stream system.



SECTION 8, T6S - R4W M.D.B.C.M.



State of California
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
PURISIMA CREEK STREAM SYSTEM
SHOWING
DIVERSIONS and IRRIGATED LANDS
SAN MATEO COUNTY



- LEGEND**
- - - WATERSHED BOUNDARY
 - - - PROPERTY BOUNDARY
 - - - TOWNSHIP & RANGE LINE
 - - - SECTION LINE
 - - - ROAD
 - - - CREEK
 - DWELLING
 - RESERVOIR or TANK
 - ⊙ SPRING
 - IRRIGATED LAND
 - POINT OF DIVERSION
 - EXISTING
 - PROPOSED

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

IN THE MATTER OF THE DETERMINATION
OF THE RIGHTS TO THE VARIOUS CLAIMANTS
TO THE WATERS OF PURISIMA CREEK AND ITS
TRIBUTARIES IN SAN MATEO COUNTY,
CALIFORNIA

NOTICE OF
ORDER APPROVING REPORT ON PURISIMA CREEK ADJUDICATION
SETTING OF TIME FOR FILING OF OBJECTIONS
AND SETTING OF TIME AND PLACE FOR INSPECTION OF PROOFS OF CLAIM
AND OTHER PERTINENT DATA

NOTICE is hereby given that the State Water Resources Control Board on December 20, 1979, pursuant to Water Code Section 2600 et seq., made and entered an order approving the Report on Purisima Creek Adjudication in the matter of the determination of the rights of all the various claimants to the waters of Purisima Creek stream system in San Mateo County, California.

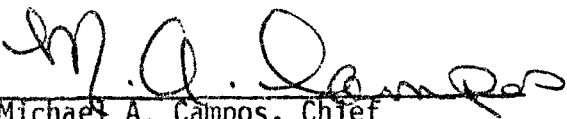
You and each of you are hereby further notified that during the period of time ending with and including March 14, 1980 the Board will receive objections to any portion of the report including the preliminary order of determination which constitutes Section III of the report and to proofs of claim filed in accordance with Article 4, Chapter 3, Part 3, Division 2 of the Water Code, commencing with Section 2575. Objections shall be in writing and shall state with reasonable certainty the grounds of the objection.

You and each of you are also hereby further notified that, pursuant to Water Code Section 2625 et seq., proofs of claims, measurements and other data collected during the investigation of the stream system will be available for inspection at the Office of University of California Cooperative Extension Service, 625 Miramontes, Suite 200, Half Moon Bay, California, for five days beginning January 21, 1980 from 8:00 a.m. to 5:00 p.m.. A representative of the Board will be present at the time and place designated.

Dated: January 4, 1980

STATE WATER RESOURCES CONTROL BOARD

By


Michael A. Campos, Chief
Division of Water Rights

