

# **SAN GREGORIO CREEK ADJUDICATION**

## **ORDER OF DETERMINATION**

**SAN GREGORIO CREEK  
STREAM SYSTEM**

**in San Mateo County  
California**



**APRIL 1989**

**STATE WATER RESOURCES CONTROL BOARD**



**STATE OF CALIFORNIA**  
*George Deukmejian, Governor*

**ENVIRONMENTAL AFFAIRS AGENCY**  
*Jananne Sharpless, Secretary*

**STATE WATER RESOURCES  
CONTROL BOARD**

*W. Don Maughan, Chairman*  
*Darlene E. Ruiz, Vice Chairwoman*  
*Edwin H. Finster, Member*  
*Eliseo Samaniego, Member*  
*Danny Walsh, Member*

*James W. Baetge, Executive Director*

ADDENDUM TO LIST OF CLAIMANTS

Recent correspondence with the Board shows that parcels included in this proceeding have had changes in ownership. New owners as well as their predecessors in interest are listed below. Please refer to the name of the predecessor in interest for reference to the allocations in the Order of Determination.

<u>New Owner</u>	<u>Predecessor in Interest</u>
Bell, Mildred M.	Bell, Frank P. & Mildred M.
Carey, Helen J.	First American Title c/o Helen J. Carey, et al.
Carey, Helen J., et al.	Callen, T. J., et al.
Chimienti, Giuseppe and Vita	Hruska, Elias and Maria Prewitt, Jerry and Elizabeth
Connor, William E.	Blum, Richard and Eva
Dobrasinovic, Branislav and E.	San Gregorio XMAS Trees Inv. II
Ferguson, R. and Hale, H.	Low, Raymond
Gianocca, Clayton J., Jr.	Modena, Sylvia
Houghton, Paul	Stern, M.
Johnson, Alan A. and Hampton, Clo A.	Johnson, Alan A. and Maripat
Johnson, Dietlind, Trustee	Johnson, Keith and Dietlind
Johnson, Gary D. and Joyce E.	Johnson, Lorraine R.
Johnson, William A. and Nora M.	Eranosian, Jack and Lytle, Marsha
Jones, Rick and Majda	Cohen, Michael and Carol

Lanusse, Pierre and Adriana	Lutz, Barbara
McDonald, William	McDonald, Edith C.
Midpeninsula Regional Open Space District	Collett Investment Co.
Midpeninsula Regional Open Space District	Darling, Ned P.
Midpeninsula Regional Open Space District	Weber, Jaroy
Midpeninsula Regional Open Space District	Dyer, Calvin Y.
Midpeninsula Regional Open Space District	Winkle, Roger A. and Linda F.
Midpeninsula Regional Open Space District	Blest, Anna W.
Midpeninsula Regional Open Space District	Paulin, Joan M.
Midpeninsula Regional Open Space District	Keller, Meredyth
Midpeninsula Regional Open Space District	Nolte, George S.
Midpeninsula Regional Open Space District	Peters, Colin
Myers, Lloyd and Dustra	Proia, Robert and Marilyn
Neff, Karen L.	Jaggers, Jerry F. or Neff, Karen L.
O'Neal, Patricia Louise and McCloskey, Paul N.	Solem, Lynn R.
O'Neal, Patricia Louise and Radwell, Grace M.	Solem, Lynn R.
Regan, Dorothy A., Trustee	Regan, John W. and Dorothy

Rogers, Howard

Kirkpatrick, Sandra and  
Rogers, Howard

San Gregorio Farms

Pollock, Corrine

Schram, Richard and Constance

Lee, Mabel E.

Stahl, Phillip K. and Christine

Mello, Melvin, Sr.

Thompson, Raymond W.

Pettichord, Ben

Turner, Bruce and Nancy

Lutz, Barbara

Valencich, Roger and JoEllen

Zalewski, Thomas B.

Varner, James D.

Schroyer, Jerry

Wasmann, John R.

Roussel, Oliver

Williams, Carole and Patrick

Barrett, Kenneth G. and Ana



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

SAN GREGORIO CREEK ADJUDICATION

In the Matter of the Determination of the Rights  
of the Various Claimants to the Waters of

SAN GREGORIO CREEK STREAM SYSTEM  
in San Mateo County, California

ORDER OF DETERMINATION

1989

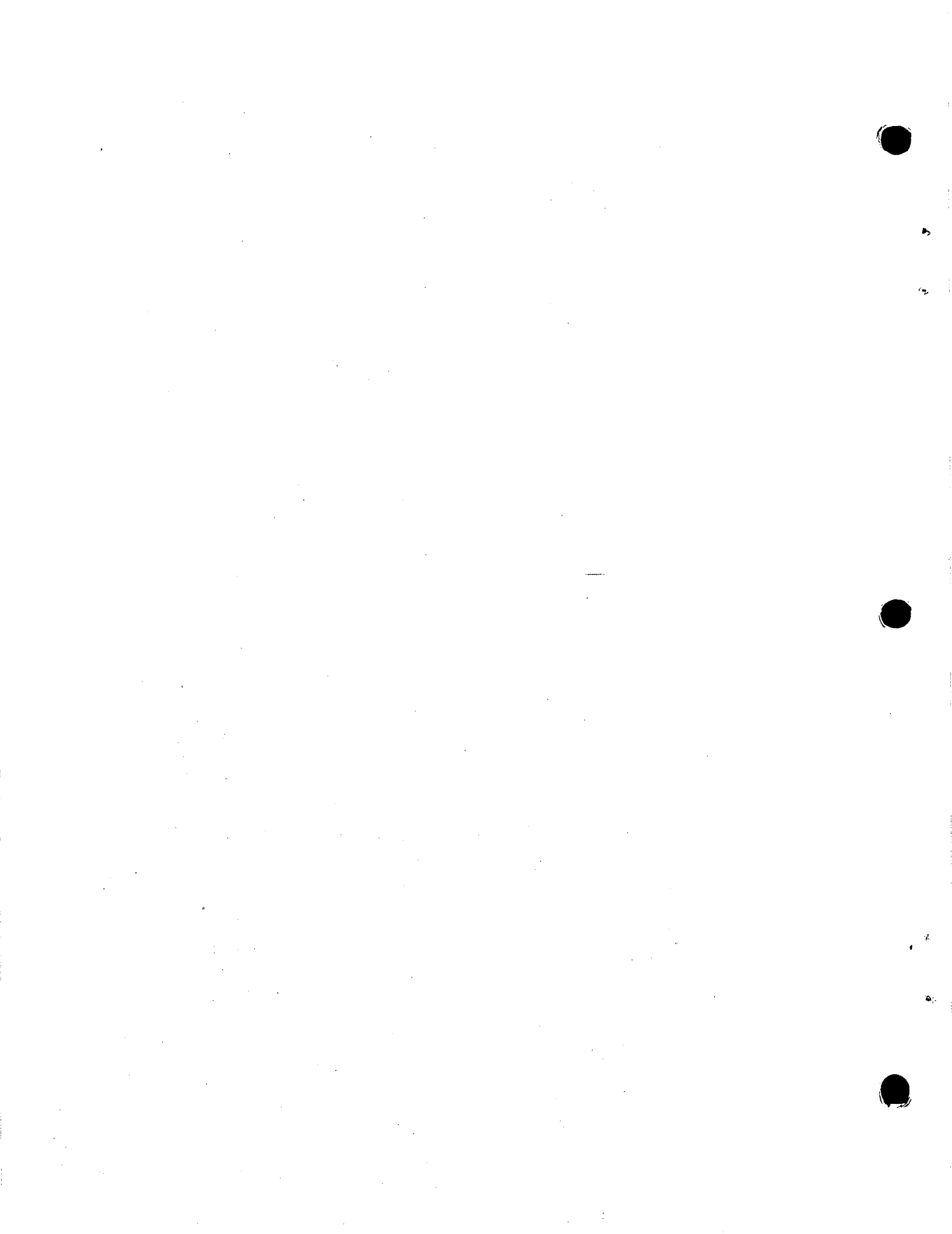




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San Gregorio Creek Stream System  
Showing  
Ownerships, Diversions & Irrigated Lands  
(San Mateo Co., 1989)

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

In the Matter of the  
Determination of the Rights  
of the Various Claimants  
to the Waters of

SAN GREGORIO CREEK STREAM  
SYSTEM,

In San Mateo County,  
California.

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ORDER OF DETERMINATION

WR 89-7

BY THE BOARD:

**1.0 BACKGROUND**

The State Water Resources Control Board (Board) having adopted the Report on San Gregorio Creek Adjudication (Report) on November 16, 1984; objections to the Report having been received; the Board having held a hearing on August 14, 15, and 20, 1985 to receive evidence on the objections; and the Board having considered all evidence in the record, finds as follows:

**2.0 HISTORY OF THE PROCEEDING**

This proceeding was initiated in accordance with the provisions of Section 2525 of the Water Code of California. On March 26, 1979, a petition was filed with the Board requesting a determination of the rights of the various claimants in and to the use of the water of San Gregorio Creek Stream System in San Mateo

County, California. Following an investigation, the Board found that the public interest and necessity would be served by a determination of the rights to the waters of the San Gregorio Creek Stream System and granted the petition on May 15, 1980.

All claimants of rights to the use of the water of the San Gregorio Creek Stream System were put on notice that they should inform the Board of their intention to file proofs of claim. Thereafter, the Board gave notice in writing to each person expressing an intent to file a proof of claim that a field investigation of such person's use of water would be conducted (Water Code § 2551). At the conclusion of the field investigation, each claimant or a representative was provided, by certified mail, with a copy of the factual findings of the investigation and forms for use in preparing a proof of claim.

An investigation was also conducted of the water supply in the stream system and the use of water. The Board's observations, data, information, and measurements are set forth in Section I, "Water Supply and Use of Water in the San Gregorio Creek Stream System" of the Report. The Board also prepared maps from the surveys made during the investigation. These surveys and maps show

the course of the stream system, the location of each point of diversion of water from the system and the place of use of the diverted water.

All proofs of claim have been assembled. An abstract of the proofs of claims is set forth in Section II of the Report (Water Code § 2600). Notations of material differences between the claims and the factual determinations contained in the Report are included as findings of the Board in Section II (Water Code § 2601). Section III of the Report consists of the Preliminary Order of Determination for the water rights of the various claimants (Water Code § 2603).

On November 19, 1984 the Board sent a copy of the Report by certified mail to each claimant and to each person not filing a proof of claim whose water rights are referred to in the Report (Water Code § 2604). With each copy of the Report, the Board enclosed a notice setting forth the times and locations where proofs of claims, measurements, and other data collected by the Board during the proceedings would be available for inspection for a period of five days (Water Code § 2625). The notice also provided that objections to any portion of the Board's Report could

be filed any time before February 1, 1985 (Water Code § 2604). Forty-three parties filed objections to the Report. The Board mailed copies of each objection to the parties against whom the objections were directed (Water Code § 2650). By certified mail, the Board also notified all parties affected by objections of the time and place for the Board's hearing on the objections (id.).

The Board held a hearing for the objections to the Board's Report on August 14, 15, and 20, 1985. Having considered all evidence admitted in connection with the hearing and all arguments submitted by the parties, the Board makes the following findings of fact in addition to those set forth in the Report on San Gregorio Creek Adjudication adopted on November 16, 1984. The findings herein shall have precedence over any conflicting statements in the Report on San Gregorio Creek Adjudication. All allotments in this Order of Determination have been rounded to the nearest hundred gallons.

### 3.0

#### OBJECTION OF CUESTA LA HONDA GUILD

Cuesta La Honda Guild (Guild) objected to the Report because water was not allotted to the Guild during summer months. (Report, pp. II-30 through II-32,

III-55, III-56.) The Guild contends that it has rights, either as a riparian owner, by prescription or both, to divert water year-round for distribution to homeowners within the Guild boundaries.

The Guild is a private nonprofit corporation formed in 1936 for the purpose of owning, operating and controlling recreational facilities, water systems, water rights, roads and other features within the subdivision. Purchasers of subdivision lots receive a certificate of membership in the Guild.

Water sources within the Guild's boundaries include Mindego Creek, Woodham Creek and its tributaries, La Honda Creek and a number of reservoirs. The Guild has an appropriative right, pursuant to License 10511 (Application 22782), to divert 0.069 cubic feet per second (cfs) from Woodham Creek, Mindego Creek and an unnamed stream and for storage of 15.35 acre-feet per annum (afa) from these sources. The season of diversion is limited to October 1 to June 1 of the following year. The Guild also has Permit 17511 (Application 24240) for storage of 30 afa from three unnamed tributaries to Woodham Creek and from Mindego Creek. The season of collection under this permit is from November 1 to May 31 of the following year.

In addition, the Guild has an application (Application 27923) pending before the Board to directly divert 0.1 cfs year-round from the same sources covered under License 10511. Evidence in the record indicates that the Guild is currently diverting water from Mindego Creek during the summer months.

The Guild contends that it has riparian rights to divert water year-round. The Guild argues that the original tract of land contained within the Guild's boundaries was riparian because these lands abut various water sources and that these riparian rights were preserved by the transfer of the original landowner's riparian rights to the Guild. The Guild further contends that purchasers of individual parcels within the tract become entitled to exercise a proportionate share of the riparian water rights when they receive a certificate of membership in the Guild.

The Guild cites Copeland v. Fairview Land & Water Co., 165 Cal. 148, 131 P. 119 (1913) in support of its position. In this case the California Supreme Court held that riparian rights can be preserved in individual parcels of land, which are part of a larger riparian tract, by the device of organizing a water



company, transferring to the water company the riparian water right attached to the tract in exchange for shares of stock in the company, and, later, selling parcels of land in the tract together with shares of stock in the company. The court held that this device "preserved the riparian right to the several parcels of land, regardless of their proximity to the stream, and vested in the owner of each parcel, as soon as it was sold to him, a proportional part of the riparian right" held by the original owner of the tract (165 Cal. at 161). This mechanism for preserving riparian rights has been upheld in subsequent cases. See, e.g., Forest Lakes Mutual Water Co. v. Santa Cruz Land Title Co., 98 Cal.App. 489, 277 P. 172 (1929); Miller & Lux Inc. v. J. G. James Co., 179 Cal. 689, 178 P. 716 (1919).

In all of the cases cited by the Guild, every portion of the original tract of land was riparian to a water course. In Copeland the original 2897 acre parcel was riparian to the San Jacinto River, in Forest Lakes the 1300 acre parcel was riparian to Gold Gulch, in Miller & Lux the original tract was riparian to the San Joaquin River. The Guild contends that the entire Guild tract is riparian because lands within the Guild's boundaries are riparian to various water courses, one of which is Mindego Creek. Most of the

lands within the Guild's boundaries, however, are not within the Mindego Creek watershed and, therefore, are not riparian to Mindego Creek. See, e.g., Bathgate v. Irvine, 126 Cal. 135, 143, 58 P. 442, 444-445 (1899). None of the homes served by the Guild, in fact, are located within the Mindego Creek watershed. The original landowner did not have riparian rights to use water from the Mindego Creek watershed on lands outside the watershed and, consequently, could not transfer such rights to the Guild. Therefore, the Guild's claim of riparian rights, by virtue of creation of the Guild, cannot be sustained.

Alternatively, the Guild claims that it has obtained prescriptive rights against all of the downstream water users to divert water year-round. The Guild argues that People v. Shirokow, 26 Cal.3d 301, 162 Cal.Rptr. 30, 605 P.2d 859 (1980) is inapplicable to its claim and that the Guild has established the elements necessary for a claim of prescriptive right.

In People v. Shirokow, supra, the State sought injunctive relief under Water Code Section 1052 against the defendant's unauthorized diversion of water. As a defense, the defendant asserted that he had acquired prescriptive rights against all persons downstream,

including the state. The California Supreme Court rejected this position, holding that the Water Code's comprehensive scheme for the granting of appropriative rights by the Board precluded the acquisition of prescriptive rights against the state, where the nonriparian user asserted rights in water based upon an adverse use initiated after enactment of the Water Code. The court concluded that the Water Code "should be interpreted in such a manner that the waters of the state be available for allocation in accordance with the code to the fullest extent consistent with its terms" (26 Cal.3d at 309, 162 Cal.Rptr. at 35, 605 P.2d at 865).

The Guild also contends that People v. Shirokow is inapplicable to its claim because what is at stake are the competing claims of various landowners. While the court in People v. Shirokow held that the defendant's claim of prescriptive rights could not lie against the state, the court did not reach the question of whether and under what circumstances prescriptive rights in water may be perfected as between private parties (id. at 313 fn. 15, 162 Cal.Rptr. at 38 fn. 15, 605 P.2d at 867 fn. 15). This remains an unanswered question.

The statutory adjudication procedure is an alternative to private litigation between competing water users. In such proceedings, the Board is authorized to determine "all rights to water of a stream system whether based upon appropriation, riparian right, or other basis of right" (Water Code § 2501). Finally, the procedure results in a judicial decree which is conclusive as to the rights of all claimants to the use of water in a stream system (Water Code § 2773).

The issue raised by the Guild's claim is whether the phrase "other basis of right" in Water Code Section 2501 should be construed to include rights based upon prescription. To the extent that prescriptive rights are perfected and such rights do not initiate a new right (Water Code § 1200 et seq.), then such rights should be included within the phrase "other basis of right" in Water Code Section 2501. However, to the extent a new right is created (e.g., use based upon the prescription of a riparian right for use on a non-riparian parcel) then the person attempting to perfect the prescriptive claim must comply with Division 2 of the Water Code.

To perfect a prescriptive right to use water, the use must be: (1) actual, (2) open and notorious,

(3) hostile and adverse to the original owner's title, (4) continuous and uninterrupted for five years, and (5) under a claim of right (Lee v. Pacific Gas & Electric Co., 7 Cal.2d 114, 120, 59 P.2d 1005, 1008 (1936)). An essential requirement for prescription is the invasion of a protectible property interest by an adverse use. An upstream riparian owner may gain a prescriptive right to use water against a downstream riparian only when the downstream owner has actual notice of the adverse claim of the upstream riparian and the downstream owner knows that the upstream owner's use interferes with that of the downstream owner (Pabst v. Finmand 190 Cal. 124, 129-130, 211 P. 11, 13 (1922)). Until these circumstances occur, the downstream owner is entitled to assume that the upstream owner is only exercising his or her correlative right and that the taking is not adverse (id.).

The Guild owns riparian property on both sides of Woodham and Mindego Creeks. The record does not demonstrate that: (1) downstream users actually had notice that an upstream diversion in excess of correlative share was taking place; and (2) any downstream user was adversely affected by the diversions for the required five year statutory

period (Civil Code § 1007, Code of Civil Procedure § 318). The Guild claims that its taking is adverse to all downstream riparians and appropriators as evidenced by the fact that a number of downstream claimants filed a petition with the Board requesting a determination of rights to the San Gregorio Creek Stream System. The Board does not consider the filing of the petition sufficient in itself to demonstrate that the rights of the downstream riparian and appropriative users have been invaded by the Guild's diversions. The petition generally alleges only that the public interest and necessity would be best served by a determination of the rights of the various claimants.

The record, in fact, indicates that one significant downstream user has not been adversely affected by the Guild's diversions. A representative of the City and County of San Francisco, the owner of riparian lands located immediately downstream from the Guild's property, testified that the City and County and the Guild have an informal agreement under which, if necessary, the City will pump from Mindego Creek during the evening and the Guild will pump during the day. The City has never had to implement this agreement, however, because adequate water has been available to

meet the City's needs. The Board, therefore, concludes that the evidence is insufficient to support a finding of prescription by the Guild against any downstream user of water.

The Guild contends that, if the Board recognizes only the Guild's appropriative rights, the Guild will not have water during summer months and the value and usefulness of the Guild members' homes will be affected. The Guild has been on notice of the need to develop summer water supplies for several years. On two prior occasions the Board has addressed the issue of the availability of unappropriated water for summer diversions by the Guild. On January 9, 1969, the Board adopted Decision 1324 on Application 22782, finding that unappropriated water was not available from the sources named by the Guild during the months of June, July, August and September.

The Board reached the same conclusion in Decision 1487, adopted on October 19, 1978, on Application 24240. In this decision the Board found that water surplus to the needs of vested rights holders did not occur in sufficient quantities and at sufficient times in the summer months to justify the approval of summer

diversions of water, "particularly by a municipal water purveyor which must have a dependable supply". Because the Guild's projected needs exceeded its water rights, the Board conditioned approval of Application 24240 with a requirement that the Guild conduct an evaluation of its projected water demands in order to determine the need for additional storage facilities or other alternative supplies, and develop a plan to meet those needs. The plan was required to be filed with the Division of Water Rights within twelve months of the date of Permit 17511, or by January 12, 1980.

To date, the Guild has not submitted an adequate analysis of its water needs or a development plan, as required by Decision 1487 and Permit 17511. Further, we note that the Guild has constructed only one of three storage reservoirs authorized under Permit 17511. Construction of the additional storage reservoirs would augment the Guild's summer water supply.

For the reasons stated above, we conclude that no change should be made in the Guild's proposed allocation. Under Paragraph 13.d. of this Order, the priority of any post-1914 appropriative rights which may be acquired by the Guild under Application 27923 will be established as of the date of filing of the application.



4.0

OBJECTIONS RELATING TO THE COUNTY OF SAN MATEO

4.1

Road Maintenance Allotment

The Preliminary Order of Determination allotted 240,000 gallons per year to the County of San Mateo (County) for road maintenance. (Report, pp. II-56, III-55, 56, and 63.) The proposed allotment was assigned third priority. Under this priority the County would be entitled to divert water for road maintenance only after all first and second priority allotments were satisfied.

The County diverts water under a riparian right from four sources in the San Gregorio Creek watershed for road maintenance. Several riparian downstream diverters objected to the proposed allotment for road maintenance on the ground that the County should be required to find alternate sources, in particular the lagoon at the mouth of San Gregorio Creek, during dry years. A County representative testified at the Board's hearing, however, that use of lagoon waters was not a practical alternative because the County does not have access to the lagoon, the lagoon is an environmentally sensitive area, and past experience demonstrated that saltwater damaged both the County's road maintenance equipment as well as the public's vehicles.

More importantly, we note that the proposed allotments for the downstream riparian claimants have been assigned first or second priority rights.

Consequently, their water rights must be satisfied before the County is entitled to divert any water for road maintenance. Therefore, the County's diversions should have no impact on downstream riparian claimants, and no change is proposed in the County's allotment. Further, the record does not reveal whether all roads upon which water is being placed are on parcels riparian to the respective points of diversion from San Gregorio Creek, La Honda Creek, Alpine Creek, and El Corte de Madera Creek. The roads (place of use) must be riparian to the source of the diversion for such diversions to be authorized by this Order.

#### 4.2

##### Glenwood Boys Ranch

Glenwood Boys Ranch is a correctional treatment facility operated by the San Mateo County Probation Department. The County diverts water from Alpine Creek for domestic use and the irrigation of two acres of lawn and garden at Camp Glenwood. The property is not riparian to Alpine Creek; however, the property is traversed by an intermittent stream tributary to the creek. The Preliminary Order of Determination allocated 4000 gallons per day (gpd) in the first

priority for domestic use and 7500 gpd in the second priority for irrigation from Alpine Creek when adequate water is flowing in the intermittent stream. (Report, pp. II-56 through II-57, III-57.)

The County objected to this allotment on the ground that a year-round allocation was essential in order for the facility to operate. The County subsequently filed an application to appropriate water (Application 28389) to supplement its existing allotment. The County requested that its proposed appropriation for domestic use be assigned first priority. On November 14, 1986, the County's application was approved and Permit 19915 was issued. The permit authorizes the direct diversion of 4000 gpd of water for domestic use, year-round, and 7500 gpd from April 1 to October 31 for irrigation from Alpine Creek.

The Preliminary Order of Determination assigned the domestic use of water by riparian right holders a first priority while the priority of post-1914 appropriative rights was established as of the date of filing of the water right application. (See Report, pp. III-11 through III-12). We conclude for purposes of this Adjudication that the domestic use of water should be assigned first priority, without regard to whether the

basis of the right is riparian or appropriative. The Water Code declares the established policy of the state to be that the use of water for domestic purposes is the highest use of water (Water Code § 106). Further, "the State shall determine in what way the water of the State, both surface and underground, should be developed for the greatest public benefit" (Water Code § 105). We find that the greatest public benefit would be served by assigning all active inside domestic use of water in the San Gregorio Creek Stream System by claimants to this proceeding a first priority. Therefore, the County is allotted 4000 gpd in the first priority for domestic use at Camp Glenwood from Alpine Creek. The County's allotment of 7500 gpd for irrigation from Alpine Creek is assigned a priority based upon the date of filing Application 28389.

#### 4.3

##### Sam McDonald Park

Sam McDonald Park, comprising 867 acres, is owned and operated by the County. Portions of the park are riparian to Alpine Creek. The Report allotted the County 15 gpd per person or 1849 gpd for the park from Alpine Creek, based upon an estimated annual usage of 45,000 people. (Report, p. II-57.) This amount would be 674,900 gallons per year. However, the Preliminary Order of Determination mistakenly allotted the County 2,025,000 gallons per year. (Report, p. III-57.)

4.3.1 Objections of the County

The County objected to the Report, noting the discrepancy between the two figures. At the Board's hearing, the Director of Parks and Recreation for the County testified that the County needs 3,000,000 gallons per year in order to operate the park. Water is used at the equestrian center for restrooms and shower facilities and for the wash down and additional care of the horses. Besides the equestrian center, there are four group campsites with restroom facilities at each. The park headquarters also has public restrooms. The County testified that 15 gpd would not be adequate for overnight use of the park facilities and that 30 gpd would be more appropriate. In addition, the director testified that the number of park visitors in 1984 was approximately 82,500.

State Board regulations provide that the domestic use of water includes the use of water for human consumption and sanitary purposes at campgrounds (23 CCR 660). The quantity of water considered reasonable for a campground where washbowls, showers, flush toilets and laundry trays are provided ranges up to 30 gpd (23 CCR 697(b)). Because not every park visitor uses the camping facilities and no evidence

was provided regarding a breakdown of park use by park visitors, we find no basis for changing the allotment of 15 gpd per person. However, the allotment should reflect the annual use by 82,500 visitors. Therefore, the County should be allotted 15 gpd per person, or 3,400 gpd (based on an average of 226 visitors per day), from Alpine Creek in the second priority for outside domestic use for the park. The water diverted from Alpine Creek can only be used in the portions of the park which are riparian to Alpine Creek.

The director also testified that Diversion No. 95 of the State Board map is no longer used by the County. The diversion point has, therefore, been deleted from Schedules 2 and 4 and the map.

#### 4.3.2

##### Objections of Downstream Diverters

Several downstream diverters objected to the proposed allotment for the park because the County would be permitted to pump water from Alpine Creek during the summer months. Evidence in the State Board hearing record indicates that because more than 50 percent of park usage occurs during the months of June through September, a restriction on summer pumping would drastically alter park usage. Since the primary use of

the water is for domestic purposes (23 CCR 660) and all other domestic use of water is permitted on a year round basis, we find that there should not be a restriction on summer pumping in the park at the present time. However, the development of a storage project to supply the needs of Sam McDonald Park during the summer months could reduce the competition for water between the County and other users during critical summer months. We recommend that the County consider filing an application with the State Board to appropriate water to storage for this purpose.

4.4

County Service Area No. 7

The Report found that the County lacked a water right to divert water from Alpine Creek for use within County Service Area No. 7 (CSA No. 7). (P. II-58 through II-59.) However, the Report also found that water could be diverted by the County to serve CSA No. 7 customers who are riparian to various sources. The Report noted that the County, on behalf of CSA No. 7, has filed Application No. 25980 to appropriate 0.035 cfs by direct diversion and 1.96 afa by storage, year-round, for domestic and recreational purposes. The Preliminary Order of Determination allotted the County

5500 gpd, first priority, based upon the riparian rights of eleven known water users within the service area. (Report, p. III-57.)

The County objected to this proposed allotment on several grounds. First, the County asserted that 33 customers, rather than eleven, are riparian to either Alpine, La Honda or San Gregorio Creeks. Second, the County requested reevaluation of the allotment of one of these customers, which is a private trailer park, consisting of one house, ten permanent trailers and ten temporary trailers. Third, the County requested that Application No. 25980 be approved and placed in the first priority. Fourth, the County contended that 13 homeowners owning nonriparian land within Sam McDonald Park have riparian rights because the deeds from Sam McDonald stated that the buyers could obtain water from a then existing water system. That system was subsequently acquired by the County to serve CSA No. 7. Finally, the County alleged that another group of 24 customers owning nonriparian land outside of Sam McDonald Park should be allotted rights to the use of water because of hardship.

In 1965 CSA No. 7 was formed to provide water to service area customers. The water system which



supplies CSA No. 7 also supplies water to Sam McDonald Park and Camp Glenwood Boys Ranch. Alpine Creek is the source of supply.

Evidence in the record shows that 21 lots in CSA No. 7 are, in fact, riparian to Alpine Creek, the source of supply for CSA No. 7 customers. An additional three lots are riparian to San Gregorio Creek, to which Alpine Creek is tributary. Riparian owners may divert upstream water for use on their downstream riparian lands, as long as they have the consent of the upstream landowners and they take only their reasonable share (Turner v. Eastside Canal & Irrigation Co., 168 Cal. 103, 142 P. 69 (1914)). Consequently, the owners of lots within CSA No. 7 which are riparian to San Gregorio Creek have the right to divert a correlative share of water from Alpine Creek as long as the upper landowners consent. Therefore, we conclude that the 24 lots described by assessors parcel numbers 83-190-13, 83-190-34, 83-190-36, 83-190-37, 83-190-46, 83-204-02, 83-204-03, 83-204-06, 83-220-05, 83-220-06, 83-231-02, 83-231-03, 83-231-12, 83-231-13, 83-240-02, 83-240-04, 83-240-07, 83-240-09, 83-240-10, 83-240-11, 83-250-04, 83-250-09, 83-250-10, 83-250-12, should each be allotted 500 gpd, first priority, from Alpine Creek. The County or CSA No. 7 may provide the physical means for delivering this water to the lots in question.

As a general rule, when two streams unite each is considered a separate stream with regard to lands contiguous to the stream above the junction; consequently, lands within the watershed of one stream above that point are not considered riparian to the other stream (Anaheim Union Water Co. v. Fuller 150 Cal. 327, 88 P. 978 (1907)). Therefore, lots within CSA No. 7 which are riparian to La Honda Creek are not riparian to Alpine Creek and are not entitled to receive an allotment of water from CSA No. 7 based on riparian rights. The record shows that nine lots within CSA No. 7 fit into this category. However, these nine lots should receive an allotment from La Honda Creek because they are riparian to La Honda Creek and have been using water, even though the water they have been using is from a different source. Therefore, we conclude that the eight lots described by assessors parcel numbers 83-170-05, 83-170-06, 83-170-08, 83-170-09, 83-170-10, 83-170-11, 83-170-12, 83-180-05, should each be allotted 500 gpd, first priority, from La Honda Creek. One of the nine lots that is riparian to La Honda Creek is known as La Honda Park. La Honda Park includes one house, ten permanent trailers, and ten temporary trailers. The trailers are allotted 220 gpd apiece (55 gpd per person, assume four people per

trailer) and the house is allotted 500 gpd. Therefore, La Honda Park is allotted 4,900 gpd, first priority, for inside domestic use from La Honda Creek.

The County alleges that the owners of the remaining lots within CSA No. 7 which are not contiguous to a water source have riparian rights because when the lots were purchased from Sam McDonald the buyers received the right to be provided water from an existing water system. The lots in question do not abut a water course and the law presumes that if they were part of a larger riparian parcel, the riparian status has been severed unless a contrary showing can be made. Based upon the evidence in the record, it cannot be determined whether any of these lots retained their riparian status to Alpine Creek when conveyed by McDonald to the respective purchasers. Therefore, no riparian allotment is made for any of these lots.

The County also contends that it has obtained prescriptive rights against all of the downstream water users. The County claims that its taking is adverse to all downstream riparians and appropriators as evidenced by the fact that a petition requesting the determination of rights to the San Gregorio Creek Stream System was

filed with the Board by a number of downstream claimants. As we stated in Section 3.0 above, the Board does not consider the filing of a petition a sufficient demonstration that the rights of other users have been prescribed. Further, there is no evidence that the downstream users had actual or constructive notice of the County's claim or that the County's use interfered with downstream users. Under these conditions, the downstream users are entitled to assume that the County is only exercising its correlative right and that the taking is not adverse. The Board concludes, therefore, that the evidence is insufficient to support a finding of prescriptive rights against all downstream users by the County.

The County filed Application 25980 to directly divert up to 20.04 afa throughout the year for domestic and recreational purposes and to divert to storage up to 1.96 afa from October 1 of each year to May 31 of the succeeding year for domestic and recreational purposes. The County requested that the application be held in abeyance until the adjudication is complete. The application will be processed in accordance with Paragraph 14 of this Order. If the application is approved, it will be assigned a priority in accordance with Paragraph 13.d. of the Order of Determination.

5.0

**OBJECTION OF THE CITY AND COUNTY OF SAN FRANCISCO**

The City and County of San Francisco (City and County) owns property collectively known as the Log Cabin Ranch, consisting of two developments -- Log Cabin Ranch and Hidden Valley Ranch. The Log Cabin Ranch facilities are leased by the San Francisco Juvenile Court for use as a juvenile facility. The tenant of Hidden Valley Ranch is Eclectic Communications, Inc., an organization which oversees juvenile wards of the federal courts. The source of water supply for both facilities is Mindego Creek.

The Report found that Hidden Valley Ranch was located within the Mindego Creek watershed and allotted the City and County 4100 gpd for domestic use at that location. (Report, pp. II-37 through II-39; III-57.) The Report also found that the Log Cabin Ranch facilities were not located in the Mindego Creek watershed and, therefore, were not riparian to the creek. No water was allotted for these facilities.

The City and County objected to the proposed allotment for Hidden Valley Ranch alleging the allotment was inadequate for the population at the facility, which consisted of up to 80 inmates in addition to staff.

The City and County also objected to the Report because no water was allotted for the Log Cabin Ranch juvenile facility.

5.1 Hidden Valley Ranch

At the Board's hearing a representative of the City and County testified that the Hidden Valley Ranch and Log Cabin Ranch facilities jointly use approximately 20,000 gpd for domestic uses and 10,000 gpd for non-domestic uses. The non-domestic uses include irrigation of a two-acre baseball field, landscape and greenhouse irrigation, operation of a swimming pool, sewer plant operation, and other maintenance purposes. The representative was unable to provide figures on the approximate usage of water at Hidden Valley Ranch alone. The representative testified that the current population at Hidden Valley Ranch consists of 61 clients and 35 staff.

Based upon the existing population at Hidden Valley Ranch, we conclude that the recommended allotment for Hidden Valley Ranch should be revised. Therefore, the City and County is allotted 5,300 gpd in the first priority for inside domestic use and 10,000 gpd in the second priority for irrigation at Hidden Valley Ranch from Mindego Creek.

Log Cabin Ranch Juvenile Facility

The City and County claims a prescriptive water right for the Log Cabin Ranch facilities. The City and County has a riparian right to divert water from Mindego Creek for use within the Mindego Creek watershed. However, the Log Cabin Ranch facilities are not located within the Mindego Creek watershed. Therefore, water may not be diverted from Mindego Creek under a riparian right for use by the Log Cabin Ranch facilities.

A representative of the City and County testified that downstream water users have never complained regarding the City and County's water consumption. As we explained in Sections 3.0 and 4.0 of this Order, a downstream riparian owner is entitled to assume that an upstream riparian owner is only diverting water under the upstream owner's riparian right until the downstream owner has actual notice of the upstream owner's adverse claim and the upstream owner's use interferes with that of the downstream owner. Until these circumstances occur, the taking is not adverse for purposes of a claim of prescription. Based upon this principle, we find that the City and County has failed to demonstrate that its diversion is adverse to

the interest of any downstream water user. Therefore, the claim that the City and County has acquired a prescriptive right cannot be sustained.

The City and County has filed Application 28538 to divert 0.46 cfs (or 298,000 gpd) year-round from Mindego Creek for both the Log Cabin Ranch juvenile facility and Hidden Valley Ranch. This application will be processed in accordance with Paragraph 14 of this Order. If the application is approved, it will be assigned a priority in accordance with Paragraph 13.d. of this Order.

**6.0**

**OBJECTION OF STANLEY E. AND LINDA FISCHMAN**

Dr. Stanley E. and Linda Fischman own a 28-acre parcel of land riparian to La Honda Creek which is used as a camp, retreat, and conference center for children with severe and terminal illnesses, their treating physicians and other personnel. The Report found that no water was being diverted from La Honda Creek; consequently, no water was allotted to the Fischmans from the creek. (P. II-44.) In addition, the Report concluded that the Fischmans should file an application to appropriate water from a spring, the Oden Spring, located on adjacent property.



The Fischmans objected to the Report on two grounds. First, they indicated that license rights to take water from the Oden Spring were terminated in 1980. Therefore, the Fischmans have no present right to divert water from the spring.

Second, they objected to the finding that they have not exercised their riparian rights to divert water from La Honda Creek. The Fischmans presented evidence at the Board's hearing on the extent of past and present water usage at the site. From 1946 to 1973 the property was used as a Girl Scout camp. During this time period, a water system was developed to pump water from La Honda Creek. In addition, the camp utilized water from several springs. The Fischmans purchased the property in 1973. In 1983 they constructed a pumping plant to take water out of La Honda Creek.

The property contains six camping units, a main lodge, a caretaker cabin, swimming pool, and other facilities. The site also contains an orchard covering approximately two acres. The site can accommodate approximately 100 campers and 25 staff.

The Fischman's consultant testified that the total domestic water usage at the camp was approximately

6,000 gpd. The estimated maximum usage for the orchard was 9,600 gpd.

The property contains two residences (caretaker cottage and lodge) which should each be allotted 500 gpd in the first priority. The facilities for 125 campers and staff should be allotted 3,800 gpd in the first priority based upon a water duty of 30 gpd per person (23 CCR 697(b)).

We conclude that the Fischmans should be allotted 4,800 gpd in the first priority for domestic use from La Honda Creek. Based upon a water duty of 3736 gpd per acre, we conclude that the Fischmans should be allotted 7500 gpd in the second priority for irrigation of two acres of orchard from La Honda Creek. (See Report, p. I-8.) Because no water is diverted by the Fischmans from the Oden Spring, Diversion Point No. 14 has been removed from Schedule 2 and the SWRCB map.

#### 7.0

#### OBJECTION OF CONSOLIDATED FARMS, INC.

Consolidated Farms, Inc., owns approximately 2000 acres of land riparian to Coyote and Clear Creeks, tributaries of San Gregorio Creek. The Report found that the owners use spring water for stockwatering 200 head of cattle and for domestic use at two ranch sites.

(Report, p. II-68.) The Report also found that Consolidated Farms, Inc., has three stockponds, one of which is tributary to Coyote Creek. The company was allotted 500 gpd for domestic use and 3000 gpd for stockwatering. (Report, p. III-64.) The Report concluded that Consolidated Farms, Inc., should file applications to appropriate water or applications for stockpond certification for its existing stockponds.

A representative of Consolidated Farms, Inc., testified at the Board's hearing that the company intended to file the necessary applications. In addition, the witness testified that the company currently has six stockponds and that water for stockwatering and for domestic use at two residences is supplied by 12 springs located on the property. The witness further testified that the springs supplying the residences do not have continuity of flow to either Coyote or Clear Creeks.

As a general rule, where the natural flow from a spring does not pass beyond the boundary of the land on which it is located, the owner of the land on which the spring is located owns the entire flow of the spring and may use all of it (San Francisco Bank v. Langer, 43 Cal.App.2d 263, 268, 110 P.2d 687, 690 (1941); State v. Hansen, 189 Cal.App.2d 604, 11 Cal. Rptr. 335 (1961)).

A landowner diverting water from springs included in this category need not file an application to appropriate water (Water Code §§ 1200, 1201). In addition, such springs have not been included in a "stream system" for purposes of a statutory adjudication. Therefore, Consolidated Farms, Inc.'s use of the two springs which do not have continuity of flow to either Coyote or Clear Creeks is not within the scope of this adjudication. The proposed allotment for domestic use has, therefore, been deleted. (See Paragraph 41 of this Order.)

Evidence was introduced into the record that there are approximately 275 to 300 head of cattle on the ranch. The proposed allotment from Coyote Creek for stockwatering has, therefore, been increased from 3000 to 4500 gpd, second priority, for 300 head of cattle.

Permit 19999 (Application 28730) was issued on January 27, 1987. Permit 20000 (Application 28796) and Permit 20001 (Application 28797) were issued on January 29, 1987. Permit 19999 authorizes the collection of 9 afa of water from four unnamed streams tributary to Coyote Creek from October 1 of each year to May 31 of the succeeding year for stockwatering in Reservoirs #1, #2, #3, and #4. Permit 20000 authorizes

the collection of 4 afa of water from two unnamed streams tributary to Coyote Creek from October 1 of each year to May 31 of the succeeding year for stockwatering in Reservoirs #6 and #7. Permit 20001 authorizes the collection of 1 afa of water from an unnamed stream tributary to San Gregorio Creek from October 1 of each year to May 31 of the succeeding year for stockwatering in Reservoir #5. These rights will receive a priority as of the date of filing the applications pursuant to Paragraph 13.d. of this Order.

**8.0**

**OBJECTION OF PETER M. FOLGER**

Peter M. Folger owns a 190-acre tract of land known as Ocean Shore Ranch which is riparian to Woodruff Creek and a tributary of Woodruff Creek known as Whistle Creek. Peter M. Folger has an appropriative water right under License 10702 (Application 20266) for direct diversion and storage of water from Whistle Creek. In addition, Peter M. Folger has filed Application 24628 to collect a maximum of 120 afa from Woodruff Creek and Whistle Creek for storage in a 10 af off-stream reservoir and an underground basin. Finding that the riparian right was unexercised, the Report did not allocate water to Peter M. Folger on the basis of his riparian right. (Report, pp. II-71 and II-73.)

Folger objected to the Report on the ground that the Report should recognize the planned utilization of riparian rights in conjunction with the diversion of water under Application 24628 and should treat the rights as active rather than inactive. At the Board's hearing, a consultant for Folger testified that the same facilities which would be constructed to develop a water supply under Application 24628 would be used to pump water from Woodruff Creek under Folger's riparian right. The ranch owner has not constructed these facilities because the Board has not taken final action on the application. The consultant estimated that Folger was entitled to divert a maximum of 5 to 10 gallons per minute under his riparian right when the flow in Woodruff Creek was 100 gallons per minute.

Since there has been no use of water under the riparian claim as of the close of the Board's hearing record, we conclude that no water should be allotted for this parcel. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of this Order.

Application 24628 will be processed in accordance with Paragraph 14 of this Order. If Application 24628 is approved, it will receive a priority in accordance with Paragraph 13.d. of this Order.

**OBJECTION OF THE ESTATE OF PETER FOLGER**

The Estate of Peter Folger owns a 1000 acre parcel of land known as San Gregorio Ranch which abuts Harrington, Bogess, and San Gregorio Creeks. The Report found that most of the parcel had been severed from the San Gregorio Creek watershed and that most of the remaining land was riparian to either Bogess or Harrington Creeks. (Report, pp. II-71 through II-73.) The Report found that the riparian rights were unexercised; therefore, no water was allotted on the basis of riparian right.

The Estate of Peter Folger objected to these findings. At the Board's hearing, a consultant for the estate requested that the Report be amended in three respects. First, the consultant testified that, prior to the death of Peter Folger in 1980, a parcel of approximately eight acres was irrigated for pasture with water pumped from San Gregorio Creek. The parcel had not been irrigated since Folger's death because resolution of the estate had not been concluded. The consultant also testified that approximately 150 acres of the ranch were riparian to San Gregorio Creek.

Five years have elapsed between the death of Peter Folger and the Board's hearings. There has been ample time for the executor of the estate to irrigate the eight acre parcel in order to exercise a riparian claim. Since there has been no use of water under the riparian claim as of the close of the Board's hearing record, we conclude that no water should be allotted for the eight acre parcel. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

Second, the consultant requested that the Estate of Peter Folger be allotted water from San Gregorio Creek to irrigate a six acre tract of land located adjacent to the ranch manager's house. The consultant testified that this tract had never been irrigated. No water is, therefore, allotted for the future irrigation of the six acre parcel. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

Third, the consultant requested that the Estate of Peter Folger be granted the right to use any water salvaged in the future by the removal of phreatophytic growth in an area of the ranch tributary to Bogess Creek.



Salvage water is water which is added to a surface water source or saved from loss to that source by means of work (e.g., ditch lining, vegetation modification, spring development) that otherwise would not have reached that source or would have been lost to beneficial use. The general rule governing the right to the use of salvage water is that the person who makes such water available is entitled to its use provided that there is no interference with prior rights. See, e.g., Wiggins v. Muscupiabe Land and Water Co., 113 Cal. 182, 45 P. 160 (1896); Pomona Land and Water Co. v. San Antonio Water Co., 152 Cal. 618, 93 P. 881 (1908). Since salvage water is water that was previously unavailable for beneficial use, its use (when approved by the Board or the court in accordance with Paragraph 42 of this Order) shall be given a first priority (see Paragraph 13.f. of the Order of Determination).

The consultant testified that phreatophytes had been removed from this area at one time but were allowed to grow back. There were no plans as of the close of the hearing record to remove the existing growth. To the extent that the Estate of Peter Folger intends to make a use of water that might be salvaged in the future, the use is covered under Paragraph 42 of the Order.

## OBJECTION OF NEIL YOUNG

Neil Young owns property, known as Bella Vista Ranch and Broken Arrow Ranch, consisting of 1984 acres which is riparian to various water sources, including El Corte de Madera Creek and Bogess Creek and their tributaries. The Report found that evidence was lacking to support the existence of a pre-1914 appropriative right to divert water from El Corte de Madera Creek at a point located north of the Young property on an adjacent ranch. (P. II-91.)

Young objected to this finding on the basis that he had both riparian and pre-1914 rights to divert water via this diversion point. Evidence was introduced showing that the pipeline leading from the adjoining ranch to the Bella Vista Ranch has been in existence since the late 1800s. A witness, who had been the ranch manager for 17 years, testified that the pipeline was currently in use with the consent of the adjacent landowner.

An owner of riparian land can legally divert water from upstream riparian lands for use on his downstream riparian parcel, as long as the downstream owner has the consent of the upstream owner and takes only his reasonable share (Turner v. Eastside Canal & Irrigation Co., 168 Cal. 103, 142 P. 69 (1914)). Based upon this

principle and the evidence in the record, we conclude that Young has a riparian right to divert water from El Corte de Madera Creek at the diversion point on the adjoining ranch.

We are unable to determine, based upon the evidence in the record, whether Young also has a pre-1914 right to divert water from the upstream ranch. A pre-1914 right is a right acquired prior to December 19, 1914, the effective date of the Water Commission Act, which created the modern appropriative water right system. Appropriative water rights acquired prior to December 19, 1914, may be forfeited by five years of nonuse (Smith v. Hawkins, 110 Cal. 122, 127, 42 P. 453 (1895)). No evidence was introduced at the Board's hearing regarding continuity of use from the installation of the pipeline to the present day.

Young also objected to the allotment in the Preliminary Order of Determination of 1500 gpd, second priority, for stockwatering of 100 head of cattle. (Report, p. III-62.) Evidence was introduced at the Board's hearing that 200 head of cattle are on the property. The allotment for stockwatering has, therefore, been increased to 3000 gpd, second priority.

The Preliminary Order of Determination allotted 320,800 gpd, second priority, for irrigation of 86 acres of land. (Report, p. III-62.) Young objected to this allotment and presented evidence at the hearing that 128 acres are irrigated. The allotment for irrigation from El Corte de Madera Creek has been increased to 478,200 gpd, second priority, based upon the revised acreage.

**11.0 OBJECTION OF NORMAN E. OAKS**

Oaks claimed a riparian right to divert water from the North Branch of Bogess Creek and from a spring for domestic, stockwatering, and irrigation uses. The Report found that Oaks lacked a riparian right to divert water from the spring or to store water in a reservoir which was used for stockwatering and irrigation. (Report, pp. II-23 through II-24).

Oaks objected to the findings in the Report. Permits were subsequently issued by the Board for the diversions from the spring and for storage in the reservoir. Permit 19586 (Application 28359) was issued on July 24, 1985, authorizing Oaks to directly divert 1186 gpd of water year-round from the spring for

domestic and stockwatering uses and to divert 14,400 gpd for irrigation from April 1 through November 30. Permit 19587 (Application 28366) was issued on the same date authorizing the collection of 10 afa of water diverted from Bogess Creek, an unnamed tributary of Bogess Creek, and an unnamed spring from November 1 of each year to April 30 of the succeeding year.

Oaks' applications show that there are two residences on the property and that 8.5 acres of land are irrigated. In addition, there are 40 cattle and sheep on the property. Therefore, Oaks is allotted under a riparian right 1,000 gpd, first priority, for inside domestic use, 200 gpd, second priority, for stockwatering, and 31,800 gpd, second priority, for irrigation from the North Branch of Bogess Creek. Use under the riparian rights from the North Branch of Bogess Creek and the post-1914 appropriative rights from the spring and Bogess Creek shall not exceed 1,000 gpd for domestic use, 200 gpd for stockwatering, and 31,800 gpd for irrigation.

#### 12.0

#### OBJECTION OF ALLEN H. AND JULIA JORDAN LARSON

The Larsons own property which is riparian to La Honda Creek and a tributary of La Honda Creek, known as Langley or Kelly Creek. The Report found that the

Larsons' riparian rights were unexercised. (Report, p. II-9.) Therefore, no water was allotted to them.

The Larsons objected to this finding and testified at the Board's hearing that, in the past, a residence and nine acres of berry bushes were maintained on the property. The Larsons further testified that due to vandalism, the residence was demolished, and they had been unable to rebuild because a neighboring landowner had obstructed access to their water source which was a spring tributary to Langley or Kelly Creek. The Larsons testified that their daughter would be graduating from college within the year and intended to occupy the site and reactivate the berry bushes.

Since there has been no use of water under the riparian claim as of the close of the hearing record and there is no evidence of diligence in rebuilding the residence or re-establishing the berry bushes, we conclude that no water should be allotted for either domestic or irrigation use on the parcel. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

13.0

**OBJECTION OF RICHARD AND EVA BLUM**

The Blum's entire water supply comes from a spring located on the adjacent Isenberg property. The water

is used for domestic, stockwatering, and irrigation purposes. The Report found that the Blums had a pre-1914 right to divert water from the spring for a stockwatering trough but lacked either a riparian or pre-1914 right to divert additional water for domestic and livestock needs. (Report, p. II-12.)

The Blums objected to these findings. Subsequent to filing the objection, the Blums were issued Permit 19520 on Application 28154, which authorized the year-round diversion of 3000 gpd from the spring for domestic and stockwatering purposes.

Evidence in the record shows that there is no hydraulic continuity between the spring and Woodruff Creek and that water from the spring does not flow off of the Isenberg property. Therefore, we conclude that the spring located on the Isenberg property is not within the scope of this adjudication. (See Paragraph 41 of this Order).

#### 14.0

#### OBJECTION OF J. PAUL AND JEAN E. BRADLEY

The Bradleys own two parcels, each containing a well which supplies water for domestic purposes. These parcels are riparian to Spanish Ranch Creek.

The Bradleys claimed water by riparian right from the creek and a spring which flows into the creek. The Report did not allot water to the Bradleys from these sources because the water was claimed for future use under a riparian right. (P. II-60.)

The Bradleys testified at the Board's hearing that one of their wells was at that time going dry; consequently, they needed to exercise their riparian right to divert water from the spring. They purchased pipe and were ready to install it in order to use water from a spring tributary to Spanish Ranch Creek under the riparian right. Mr. Bradley testified that they had been waiting for the Board to rule on whether they could exercise their riparian right before they installed the pipeline. Board staff and the Hearing Officer advised the Bradley's that they should install the pipeline and exercise their riparian right (Transcript of Board's hearing on August 14, 1985, Vol. I, p. 21). The Bradleys are, therefore, allocated 1000 gpd, first priority, for domestic use on the two parcels from a spring tributary to Spanish Ranch Creek.

15.0

**OBJECTION OF LOUIS K. GOTTWALD**

The Gottwalds are the current owners of property riparian to Alpine Creek formerly owned by Bill G. and



Carole Evans. The Report did not allot water to the Evans', based upon the findings that they obtained their water supply from groundwater wells and that they were claiming water for future use under a riparian right. (P. II-36.)

Louis K. Gottwald testified at the Board's hearing that the high salt content of the well water precluded use of the water for drinking and cooking purposes. Gottwald testified that he intended to repair an existing pumphouse located adjacent to Alpine Creek in order to draw water from the creek for domestic purposes. Board staff advised the Gottwalds to repair the pumphouse and exercise their riparian right (Transcript of Board's hearing on August 14, 1985, Vol. I, p. 35). Therefore, we conclude that the Gottwalds should be allotted 500 gpd, first priority, from Alpine Creek for domestic use.

16.0

**OBJECTION OF MICHAEL URGO**

The Report found that Michael Urgo's property is riparian to San Gregorio Creek and allotted him 650 gpd for domestic use, including domestic irrigation, from Diversion No. 101. (Report, p. II-8.) Urgo objected to the Report on the grounds that he has a deeded, reserved right to divert water from the Carr spring

(Diversion No. 102) and a right to divert water from an intermittent stream which flows onto his property and San Gregorio Creek at the same point. Urgo requested an allotment of 100 gpd from the Carr spring for irrigation and 1000 gpd from the tributary to San Gregorio Creek for domestic irrigation. We conclude that Urgo should be allotted, on the basis of riparian right, 100 gpd, second priority, for irrigation from Diversion No. 102; 500 gpd, first priority, for domestic use from Diversion 101; and 1000 gpd, second priority, for domestic irrigation from the tributary to San Gregorio Creek.

**17.0**

**OBJECTION OF JOHN F. CARR, ET AL.**

The Report proposed an allotment for John F. Carr, et al., of 500 gpd for domestic use and 7.5 gallons per minute (10,800 gpd) for irrigation of three acres of orchard and garden from an unnamed spring. (Report, p. II-34.) Although no formal objection was filed, Jacquelyn B. Carr appeared at the Board's hearing on behalf of the property owners and testified that a six-bedroom house with a loft is situated on the property and that as many as 21 people can utilize the site. However, only a family of four live in the house year round and a family of three lives there for approximately half a year. The Carr allotment is,

therefore, increased from 500 gpd to 1000 gpd, first priority, for domestic use. The allotment for irrigation is increased to 11,200 gpd, second priority, based upon a duty of water of 3,736 gpd per acre.

18.0 **OBJECTIONS OF HELEN CAREY, ET AL.**

18.1 First American Title Insurance Company

First American Title Insurance Company holds title, on behalf of Helen Carey and her two sisters, to three parcels of land in the San Gregorio Creek watershed -- a 536 acre parcel abutting an intermittent stream and Coyote Creek and two parcels (3.8 and 38 acres, respectively) adjacent to an intermittent stream and San Gregorio Creek. The Report proposed an allotment of 52,200 gpd for irrigation of 14 acres of Christmas trees on the 38 acre parcel. (Pp. II-70 through II-71.) The Report incorrectly stated the acreage of the property described as Assessors Parcel Number 081-250-010 as being 58 acres, instead of the correct figure of 38 acres.

Evidence was introduced into the record of the Board's hearing that approximately 23 acres of the 38 acre parcel and 2 acres of the 3.8 acre parcel are irrigated with water from San Gregorio Creek. Approximately 12 acres of the 536 acre parcel are also irrigated with

water from the creek. Springs which do not flow off the property provide the water supply for a house and for cattle on the 536 acre parcel. The cattle also get water from Coyote Creek. Based upon a total of 37 irrigated acres, the allotment for First American Title Insurance Company is increased from 52,200 to 138,200 gpd, second priority, from San Gregorio Creek. Based upon a total of 40 head of cattle, 600 gpd, second priority, is allotted for stockwatering from Coyote Creek. See Paragraph 41 of the Order Determination, covering water rights to springs which do not flow off the owner's property.

18.2

T. J. Callen, et al.

Helen Carey also has an ownership interest in a 240 acre parcel with frontage on Kingston Creek, a tributary of San Gregorio Creek. The Report found that the parcel was undeveloped for the use of surface water and, therefore, did not propose an allotment for this parcel. (P. II-67.)

Helen Carey testified at the Board's hearing that an orchard of approximately 20 acres in size is located on the site. The orchard had not been irrigated with water from Kingston Creek for a period of approximately five years prior to the hearing because the Callen

therefore, increased from 500 gpd to 1000 gpd, first priority, for domestic use. The allotment for irrigation is increased to 11,200 gpd, second priority, based upon a duty of water of 3,736 gpd per acre.

18.0 **OBJECTIONS OF HELEN CAREY, ET AL.**

18.1 First American Title Insurance Company

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Evidence was introduced into the record of the Board's hearing that approximately 23 acres of the 38 acre parcel and 2 acres of the 3.8 acre parcel are irrigated with water from San Gregorio Creek. Approximately 12 acres of the 536 acre parcel are also irrigated with

water from the creek. Springs which do not flow off the property provide the water supply for a house and for cattle on the 536 acre parcel. The cattle also get water from Coyote Creek. Based upon a total of 37 irrigated acres, the allotment for First American Title Insurance Company is increased from 52,200 to 138,200 gpd, second priority, from San Gregorio Creek. Based upon a total of 40 head of cattle, 600 gpd, second priority, is allotted for stockwatering from Coyote Creek. See Paragraph 41 of the Order Determination, covering water rights to springs which do not flow off the owner's property.

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Helen Carey testified at the Board's hearing that an orchard of approximately 20 acres in size is located on the site. The orchard had not been irrigated with water from Kingston Creek for a period of approximately five years prior to the hearing because the Callen

estates had not been distributed. Since there has been no use of water under the riparian claim as of the close of the hearing record, we conclude that no water should be allotted for this parcel. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

18.3

Helen Carey, et al.

Helen Carey, et al., own an additional four tracts of land within the San Gregorio Creek watershed, two of which abut San Gregorio Creek and another abuts Alpine Creek. The Report found that no surface water is used on any of these tracts. (Report, p. II-67.) Evidence introduced at the hearing confirmed this finding. Therefore, no water is allotted for these tracts. The future use of water under unexercised riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

19.0

**OBJECTION OF IRENE GOUGH, ET AL.**

The Report allotted water, on the basis of riparian right, to one of two adjoining parcels owned by Irene Gough, et al. (Report, pp. II-19 through II-20.) The Report found that the other parcel (Proof No. 31) was riparian to El Corte de Madera Creek and two

intermittent tributaries but that no water was used on the site. Gough objected to the Report on the ground that an allotment of water was needed for irrigation on the second parcel. Gough testified at the hearing that water from El Corte de Madera Creek is used for irrigation of approximately 18 acres of pasture land and for a home situated on the second parcel. Therefore, in addition to the allotments shown in the Report for the first parcel, we allot 500 gpd, first priority, for domestic use and 67,200 gpd, second priority, for irrigation of 18 acres from El Corte de Madera Creek for the second Gough parcel.

**20.0**

**OBJECTION OF WOLFGANG O. AND URSULA EISENHUT**

The Report proposed an allotment of 200 gpd from a developed horizontal well tributary to Bogess Creek for stockwatering on the Eisenhut property. (Report, pp. II-35 through II-36.) Although the Eisenhuts did not file a formal objection, Wolfgang Eisenhut testified at the Board's hearing regarding the proposed allotment. Eisenhut testified that the property, which is under joint ownership with Mrs. Maron, can tolerate 10 head of cattle. It is unclear whether there are six or ten head of cattle on the property. In addition, there are six horses in the northwestern section of the property. The water supply for the horses is provided by a small developed spring with an output of



approximately one-half gallon per minute. Although there are no homes presently on the property, the Eisenhuts anticipate that two houses will be built on the site sometime in the future.

Therefore, we allot 200 gpd, second priority, from the horizontal well for stockwatering for 10 head of cattle and 100 gpd, second priority, from the small spring for stockwatering for six horses. See Paragraphs 27 and 28 of the Order of Determination regarding the future use of water under unexercised riparian rights.

21.0

**OBJECTION OF JOHN R. AND MIRIAM WATSON**

John R. and Miriam Watson were the prior owners of a parcel of land riparian to Harrington and San Gregorio Creeks. Robert Stebbins is the current owner.

The Report proposed an allotment of 500 gpd for domestic use from a spring located on a parcel adjacent to the Watson property, when flows from the spring are in continuity with flows in Harrington Creek. (Pp. II-88 through II-89.) The Report recommended that the Watsons file an application to appropriate water from the spring for domestic use during those periods when no hydraulic continuity exists between the spring and Harrington Creek. The Report also proposed an

allotment of 11,200 gpd for irrigation from San Gregorio Creek.

The Watsons objected to the Report because they claim a reserved riparian right to flows from the spring. The Watsons also objected to the Report because they pump water for irrigation from both Harrington and San Gregorio Creeks.

No evidence was provided of a reserved riparian right to flows from the spring. The Watsons did provide evidence of a deeded right-of-way to the spring.

The Watsons filed Application 28554 on September 12, 1985. The Board issued Permit 19833 on May 2, 1986 which authorized the diversion of 2,103 gpd from the spring throughout the year for domestic use. We find this amount to be excessive for domestic use for one residence and reduce the amount authorized for domestic use in Permit 19833 to 500 gpd. The balance of the authorized amount (1,603 gpd) under Permit 19833 may be used for domestic irrigation of one-half acre.

We conclude that Robert Stebbins, as the successor in interest to the Watsons, should be allotted, on the

basis of riparian right and appropriative right (Permit 19833), 500 gpd, first priority, for domestic use and 1600 gpd, second priority, for domestic irrigation from the spring. In addition, Stebbins is allotted 11,200 gpd, second priority, for irrigation from San Gregorio Creek and Harrington Creek. The total amount of water diverted from San Gregorio Creek and Harrington Creek shall not exceed 11,200 gpd.

22.0

**OBJECTION OF PEGGY CAVANAUGH AND PATRICIA CAVANAUGH JOHNSON**

The Cavanaugh property is riparian to San Gregorio Creek. The Report proposed an allotment of 50 gpd for domestic use for camping at the Cavanaugh property. (P. II-59.) The owners objected to this allotment because a house had previously been located at the site which utilized water from San Gregorio Creek. The house was destroyed by fire in the late 1970s and the owners intend to rebuild. However, the owners have no plans or permits for building a house at the present time. Patricia Johnson testified that approximately two acres of the site are landscaped and that water from San Gregorio Creek is used to irrigate the landscaping. The Cavanaugh and Johnson allotment is, therefore, revised to include an allotment of 7500 gpd, second priority, from San Gregorio Creek for irrigation of two acres of landscaping.

**OBJECTIONS RELATING TO EDWIN E. KLINGMAN AND KAREN T. MOTY**

The Report found that the Klingman property is riparian to several water sources, including San Gregorio Creek, and allotted the claimants 500 gpd for domestic uses and 335,700 gpd for irrigation of 90 acres. (Report, p. II-39.) The claimants had no objection to the proposed allotment; however, a number of other individuals objected on the basis that the proposed allotment for irrigation was excessive because the land had not been irrigated for some time.

Karen Moty testified at the Board's hearing regarding the history of water usage at the site for agriculture and the claimants' more recent attempts to farm the property. She testified that the property was last irrigated in 1979. In addition, she testified that there are two residences at the site which are occupied.

Since there has been no use of water for irrigation as of the close of the Board's hearing record, we conclude that no water should be allotted for irrigation of the Klingman property. The allotment for domestic use is increased from 500 to 1000 gpd, first priority, for two residences. The future use of water under unexercised

riparian rights is covered under Paragraphs 27 and 28 of the Order of Determination.

24.0

**OBJECTIONS RELATING TO PHIL MAITA**

The Report found that the Maita parcel, which is adjacent to the Klingman property, is riparian to San Gregorio Creek and a domestic spring. (Report, p. II-77.) The Report proposed an allotment of 500 gpd for domestic use and 18,600 gpd for irrigation of five acres from San Gregorio Creek. Although Maita did not object to the proposed allotment, objections were filed by others on the ground that Maita has neither a residence nor a pump from which to draw water for irrigation.

Karen Moty testified at the Board's hearing that she and Klingman are in the process of acquiring the Maita parcel. Moty testified that a spring and pipeline at the site provide a water supply for an existing residence. In addition, she testified regarding the past and present agricultural use of the site. There is conflicting evidence regarding whether the parcel was last irrigated in 1979 or 1981. Since there has been no use of water for irrigation as of the close of the Board's hearing record, we conclude that no water should be allotted for irrigation of the Maita parcel.

The future use of water under unexercised riparian rights is covered under Paragraphs 28 and 29 of the Order of Determination.

**25.0 OBJECTION OF WALTER AND VIRGINIA WAIK**

The Report proposed an allotment, on the basis of riparian right, of 120 gpd from Woodruff Creek for irrigation of fruit trees on the Waik property. (Report, p. II-41.) The Waiks objected to this allotment, and Walter Waik testified at the hearing that water is currently diverted from Woodruff Creek for domestic use at a cabin and for irrigation of one-quarter acre of orchard and garden. The Waik allotment is, therefore, revised to 500 gpd, first priority, for domestic use and 900 gpd, second priority, for irrigation of 0.25 acre of garden and orchard from Woodruff Creek.

**26.0 OBJECTION OF D. JAMES DORSEY**

The Report found that the Dorsey property is riparian to a branch of Bogess Creek; however, no water was allotted because none was being used. (Report, pp. II-45 through II-46.) The Report also found that the Dorseys have a deeded right to a percentage of water from a horizontal well located on the Eisenhut property, but no evidence was provided that the Dorseys

have a valid water right to flows from the Eisenhut well. The Report recommended that the Dorseys file an application to appropriate water from the well.

As recommended, the Dorseys filed Application 28384 in January 1985 and Permit 19851 was issued on June 27, 1986. The permit authorizes the year-round diversion of not more than 7243 gpd for domestic use and 447 gpd for stockwatering from the Eisenhut well.

Although the Dorseys did not file an objection to the Report, D. James Dorsey testified at the Board's hearing. His testimony and information in the file on Application 28384 show that during the winter months, flows from the horizontal well are in hydraulic continuity with a stream which flows through the Dorsey property to Bogess Creek. Evidence in the record also shows that the Dorseys have two residences on their property, 7000 square feet of lawn and gardens, and 12 horses.

We conclude that the Dorseys have a riparian right to a correlative share of the flows from the Eisenhut well when flows from the well are in hydraulic continuity with flows in the branch of Bogess Creek which passes through the Dorsey property. The Dorseys are allotted

1000 gpd, first priority, for domestic use at two residences from the well and the branch of Bogess Creek which passes through the Dorsey property. In addition the Dorseys are allotted 600 gpd, second priority, for irrigation, and 200 gpd, second priority, for stockwatering when flows from the Eisenhut well are in continuity with flows from the branch of Bogess Creek. We find that 7243 gpd for domestic use for two residences which is authorized by Permit 19851 is excessive. Therefore, we reduce the amount authorized for domestic use in Permit 19851 to 1000 gpd. Domestic use under the riparian right and the post-1914 appropriate right from the spring shall not exceed 1000 gpd. The priority of the Dorsey's post-1914 appropriate right for 447 gpd for stockwatering from the well shall be in accordance with Paragraph 13.d. of the Order of Determination.

**27.0**

**OBJECTION OF GEORGE AND JUDY BULLOCH**

The Bullochs own property which is riparian to La Honda Creek. The Report did not allocate water to the claimants because they were claiming water for future use under an unexercised riparian right. (Report, p. II-64.) Although the Bullochs did not file an objection to the Report, George Bulloch testified at the Board's hearing. Bulloch testified that they are



currently diverting water from La Honda Creek for domestic use at a residence and for irrigation of approximately 7500 square feet of lawn and garden. The Bullochs are, therefore, allotted 500 gpd, first priority, for domestic use and 600 gpd, second priority, for irrigation of 0.17 acres from La Honda Creek.

**28.0**

**OBJECTION OF EDITH C. McDONALD**

Edith C. McDonald utilizes water from a spring (Diversion No. 17) for domestic, irrigation, and stockwatering uses. The Report found that McDonald lacked a valid water right to divert water from the spring and, therefore, did not allocate water from this source. (Report, pp. II-18 through II-19.) McDonald objected to the Report because she claims a pre-1914 right to divert water from the spring for domestic use and irrigation.

McDonald failed to introduce any evidence other than hearsay evidence regarding the date of commencement of diversion and use of water from the spring. This evidence is insufficient to support a finding of a pre-1914 right to divert water from the spring (23 CCR 648.4, 761(d)). Further, no evidence was introduced regarding the use of water on the additional 25 acres.

Therefore, no change should be made in McDonald's proposed allotment. Under Paragraph 13.d. of this Order, the priority of any post-1914 appropriative rights which may be acquired by McDonald will be established as of the date of filing the application.

29.0

**OBJECTION OF DENNIS R. AND BETTY L. GOULD**

The Goulds own property which is riparian to San Gregorio Creek. The domestic water is obtained from a well. The Report did not propose an allotment of water for the property because water claimed by the Goulds was for future use under an unexercised riparian right. (Report, pp. II-46 through II-47.) The Goulds objected to this finding. Dennis Gould testified at the Board's hearing that the well is inadequate during the dry season. As a consequence, the Goulds have pumped water from San Gregorio Creek for domestic use and for irrigation of one-third acre of orchard. We conclude that the Goulds should be allotted 500 gpd, first priority, for domestic use and 1200 gpd, second priority, for irrigation of 0.33 acre of orchard from San Gregorio Creek.

30.0

**OBJECTION OF WILLIAM H. BASKIN AND BARBARA JEAN RENAS**

Baskin and Renas purchased property formerly owned by Emil and Mary Balocco. The Report found that a spring

on the property of Gerda Isenberg was the source of domestic supply for a residence on the Balocco property; however, the Baloccos did not appear to have a valid water right to the spring flows. (Report, p. II-26.) The Report recommended that the claimants file an application to appropriate water from the spring.

Baskin and Renas filed an objection to these findings. They claimed to have prescriptive rights to the spring water although no evidence was introduced at the Board's hearing to support this contention. The spring is located on the property of Rudolph W. Driscoll.

Declarations filed on behalf of Rudolph W. Driscoll in opposition to the Baskin and Renas objection state that water from the Driscoll spring never flows into or toward La Honda Creek. The spring is over 100 yards from La Honda Creek and the maximum flow rate is approximately 1 to 1½ gallons per minute.

The attorney for Baskin testified that she had personal knowledge that the spring flowed to La Honda Creek. That statement by itself is insufficient to establish that the spring is in hydraulic continuity with La Honda Creek. No evidence was provided regarding the

frequency of spring flows reaching La Honda Creek or of the dates and times of such occurrences. Further, no evidence of the details of her personal knowledge and observations were provided. For example, no explanation was provided regarding how the determination was made, or when it was made, or whether she walked from the spring to the creek and observed water flowing in a channel the entire distance. Nor was any evidence provided that a channel exists. Therefore, there is insufficient evidence to support any right to the use of the spring. See Paragraph 41 of the Order of Determination regarding non-tributary springs.

31.0

**OBJECTION OF MICHAEL AND PATRICK DEMPSEY**

Permit 18010 (Application 23965) authorizes the Dempseys to store 12 afa from Woodruff Creek for industrial and recreational purposes. The Report found that the Dempseys supplement the stored water with water obtained by direct diversion, under riparian right, from Woodruff Creek for their quarry operation; however, no water was allotted for this purpose. (Report, pp. II-20 through II-21.) The Dempseys, in addition, obtain water for industrial and domestic use from a spring, which is not in continuity with Woodruff Creek. The Report proposed an allotment of 500 gpd for domestic use from the spring.

The Dempseys objected to the failure of the Report to allocate water under riparian right from Woodruff Creek for industrial purposes. A representative of the claimants testified at the Board's hearing that the Dempseys' quarry operation utilizes 4000 gpd for this use.

We allot the Dempseys 4000 gpd, third priority, for industrial uses from Woodruff Creek. The proposed allotment of 500 gpd, first priority, for domestic use from the spring is deleted in accordance with Paragraph 41 of the Order of Determination, regarding non-tributary springs.

32.0

**OBJECTION OF ALBERT AND PAULA RUSS**

The Report did not propose an allotment of water for the Russes on the ground that they were claiming water for future use under an unexercised riparian right. (Report, p. II-49.) The claimants own property which is riparian to Kingston Creek.

The Russes filed an objection to the Report. They also filed Application 28404 to divert 27.2 afa to storage from December 1 through April 30 from Kingston Creek and an unnamed tributary of San Gregorio Creek for

domestic, irrigation, stockwatering, and recreation uses. Permit 20042 was issued on this application on April 2, 1987.

A representative of the Russes testified at the Board's hearing that no water from Kingston Creek has been used. Further, in reviewing the Board's files on Application 28404 (Permit 20042), the Progress Report filed by the permittee for 1987 states that the use of water has not commenced. However, the development schedule in Permit 20042 requires the permittee to complete construction on or before December 1, 1990 and to complete application of the water to the proposed uses on or before December 1, 1991. Until water is actually put to beneficial use under Permit 20042, no right to the water is recognized by the Board. If the Russes put water to beneficial use in accordance with the conditions in Permit 20042, they will receive a priority as of the date of filing the application (Water Code §§ 1450, 1455, 1391 and 1397). See Paragraphs 27 and 28 of this Order regarding future use of water under unexercised riparian rights.

**33.0**

**OBJECTION OF ALBERT WILSON**

The Report did not propose an allotment of water for Albert Wilson based upon the finding that Wilson lacked

either a riparian or an appropriative right to divert water from the San Gregorio stream system. (Report, p. II-19.) Wilson did not object to the Report; however, he appeared at the Board's hearing and testified that he purchased two one acre lots from Sam McDonald in 1948. The deeds for the lots provided that he would be entitled to water from the McDonald water system; however, San Mateo County, which took over the system, has refused to provide Wilson with water service. Wilson also testified that no use of water has ever been made on his property because of the ongoing dispute with the County. Although Wilson may have a legitimate argument with the County regarding the County's obligation to provide water service for his property, we are unable to find a valid basis of right under which he may divert water from the San Gregorio stream system. Therefore, no water is allotted for the Wilson properties.

34.0

**OBJECTION OF ARTHUR KITTLEMAN**

Kittleman obtains his water supply from a developed spring on his property. No flows from the spring were observed by Board staff on the Kittleman property during the field investigation. The Report, nevertheless, allocated Kittleman 900 gpd for domestic use, including domestic irrigation, when flows from the

spring are in hydraulic continuity with flows in San Gregorio Creek. (Report, p. II-56.)

Kittleman objected to the proposed allocation because he contends that water from the spring is not in hydraulic continuity with San Gregorio Creek.

Kittleman indicated that he utilizes all of the output of the spring for domestic and irrigation uses.

Because the spring is not in hydraulic continuity with San Gregorio Creek, we conclude that Kittleman's diversions from the spring should not be included in this statutory adjudication. See Paragraph 41 of the Order of Determination regarding water rights to springs which do not flow off the owner's property.

35.0

**OBJECTION OF T. J. McNAMARA**

T. J. McNamara purchased property riparian to Clear Creek which was formerly owned by John V. Souza. Finding that water was claimed for future use under unexercised riparian rights, the Report did not allocate water for the property. (Report. p. II-84.)

McNamara objected to the Report alleging water is currently being used on the site. His objection states that water is supplied from two developed springs and a



well and that runoff from the springs does not reach Clear Creek.

Because the springs are not in hydraulic continuity with Clear Creek, we conclude that McNamara's diversions should not be included in this statutory adjudication. Further, we conclude that no water should be allotted to this parcel under riparian rights because no water from Clear Creek is being used on this parcel at the present time. See Paragraph 41 of the Order of Determination regarding water rights to springs which do not flow off the owner's property.

36.0

**OBJECTION OF RICHARD S. BULLIS**

Richard Bullis objected to the Report's failure to allocate water to two parcels owned by Colin Peters. Peters owns two parcels within the San Gregorio Creek watershed, one of which is riparian to Alpine Creek. The Report found that the water claimed for the riparian parcel was for future use under an unexercised riparian right and that no basis of right could be found for the other parcel. The Report did not allocate water to either parcel. (Report, p. II-45.)

Bullis' objection stated that he was in the process of purchasing the two parcels. Bullis stated that he

expected to drill wells and possibly develop several springs for use on the nonriparian parcel. In addition, he requested an allocation of water from Alpine Creek for the future development of the riparian parcel. Bullis did not testify at the Board's hearing.

No water is allotted for the two tracts of land. See Paragraphs 27 and 28 of the Order of Determination regarding future use of water under unexercised riparian rights.

37.0

**OBJECTION OF RONALD E. AND GERALDINE A. BECK**

The Report found that the Becks obtain their domestic supply from a groundwater well; therefore, no water was allotted for domestic use. (Report, p. II-15.) The Report proposed an allotment, based upon riparian right, of 90 gpd for domestic irrigation and 2240 gpd for irrigation of 0.6 acres from San Gregorio Creek.

The Becks objected to the Report stating that, due to problems with the quantity and quality of their well water, they are now using water from San Gregorio Creek for their domestic supply. In addition, they stated that three acres of land are being irrigated with water from San Gregorio Creek. The Becks did not testify at the Board's hearing.

The Becks are allotted 500 gpd, first priority, for domestic use and 2400 gpd and 8800 gpd, second priority, from Diversion No. 212 and 213, respectively, for irrigation of a total of three acres from San Gregorio Creek.

38.0

**OBJECTION OF OTTO W. CHONETTE**

Chonette claimed water by riparian and appropriative right from an unnamed spring on neighboring property for domestic and fire protection purposes. The Report found that the claimant lacked either riparian or appropriative rights to water from the spring.

(Report, p. II-17.)

Chonette did not testify at the Board's hearing. He filed an objection in which he stated that he had personal knowledge that the spring was available as a water source to his property since 1917, and he assumed that the water source was available as of June 17, 1914, when the property was deeded to C. D. Hayward. He stated that, although current water usage is very limited, he did observe water flowing in limited quantities through a pipe connecting the spring to his property.

The evidence in the record is insufficient to support a conclusion that Chonette has a valid pre-1914 appropriative water right. There is no evidence that water was actually used on the property before 1917. Additionally, although the water source may have been available, there is no evidence that water has actually been used in recent years. There is no evidence to refute the finding in the Report that even if the claimant had a valid pre-1914 appropriative right, such right has been lost as a result of five or more consecutive years of nonuse. Therefore, no allotment is made to Chonette from the spring.

39.0

**OBJECTIONS OF JAMES AND JACQUELINE MODENA AND RAYMOND AND JEANETTE MODENA**

The Report found that James and Jacqueline Modena farm jointly with Raymond and Jeanette Modena 5½ acres of land and proposed an allotment, based upon riparian right, of 20,500 gpd for irrigation of this acreage. (Report, pp. II-34 through II-35.) The Modenas objected to the proposed allotment on the ground that they jointly farm 11, rather than 5½ acres. The allotment for irrigation for the Modenas is therefore increased from 20,500 gpd to 41,100 gpd, second priority, from San Gregorio Creek.

## OBJECTION OF ELLIOT ROBERTS

Roberts owns land riparian to Bogess Creek. Based upon a finding that the riparian right was unexercised, the Report did not propose an allocation of water from the creek. (Report, P. II-82.) The Report also found that Roberts lacked a valid water right for storage of water in three reservoirs maintained on the property and for the diversion of water from a spring on adjoining property. The Report recommended that Roberts file applications to appropriate water for both the direct diversion and the storage of water. Roberts subsequently filed Applications 28376, 28377, and 28378, as recommended, and Permits 19661, 19663, and 19662, respectively, were issued in 1985.

Roberts objected to the findings in the Report but did not testify at the Board's hearing. He stated that pipelines are maintained to Bogess Creek for irrigation and fire prevention. In addition, 50 cattle and 10 horses were alleged to be on the property.

Permit 19661 (Application 28376) authorizes the appropriation of 10 acre-feet to storage from Bogess Creek and an unnamed tributary to Bogess Creek for irrigation of seven acres and stockwatering of 60 animals. Permit 19663 (Application 28377) authorizes the diversion of

1,000 gpd throughout the year for domestic use for two residences and 8,060 gpd throughout the year for irrigation of one acre of lawn and garden from an unnamed spring on the property of Norman E. and Beverly M. Oaks. Permit 19662 (Application 28378) authorizes the appropriation of .5 acre-feet to storage in Reservoir #145 from Bogess Creek and the appropriation of 5 acre-feet to storage in Reservoir #146 from Bogess Creek. Both reservoirs are used for stockwatering.

We conclude that Roberts should be allocated 1000 gpd, first priority, for domestic use from the spring. He is also allotted 900 gpd second priority, for stockwatering and 29,900 gpd second priority, for irrigation of eight acres of land and for fire protection from Bogess Creek. Permit 19663 authorizes the diversion of 8,060 gpd from the spring for irrigation of one acre of lawn and garden. We find this amount to be excessive for irrigation of one acre and reduce the amount to 3,700 gpd. The priorities of all but the domestic uses under Permits 19661, 19662 and 19663 are based on the date of filing of the application under Paragraph 13.d. of the Order of Determination.

41.0

**OBJECTION OF NANCY GLASS**

Nancy Glass owns property which is riparian to San Gregorio Creek. Based upon findings that water for

irrigation of six acres of land and for stockwatering is provided from groundwater wells, the Report did not propose an allotment of water from San Gregorio Creek. (Report, p. II-49.) Glass did not testify at the Board's hearing; however, she filed an objection to the Report stating that the six acres of land are irrigated with water from San Gregorio Creek, rather than from ground water wells. Nancy Glass is, therefore, allotted 22,400 gpd, second priority, to irrigate six acres of land from San Gregorio Creek.

**42.0**

**OBJECTION OF CORA BELL**

Cora Bell filed an objection to the Report, stating that she owns property along San Gregorio Creek and that she had never been notified of the adjudication. State Board staff contacted her by telephone, and she indicated that no use of surface water is currently being made on the property. Cora Bell did not testify at the Board's hearing. Because there is no evidence in the record indicating that surface water is being used on the property, no allotment is made in this Order of Determination.

**43.0**

**OBJECTION OF CHARLES W. RAYNOR**

Charles W. Raynor owns property which is riparian to San Gregorio Creek. The Report proposed an allotment

of 9300 gpd for irrigation of 2.5 acres of land and 70 gpd for stockwatering from San Gregorio Creek.

(Report, p. II-76.) No water was allotted for domestic use because the Report found that a groundwater well provided the domestic water supply. Raynor did not testify at the Board's hearing; however, he filed an objection to the Report in which he requested an allotment of surface water for his residence. In addition, his objection stated that ten acres are irrigated. Charles W. Raynor is, therefore, allotted 500 gpd, first priority, for domestic use, 100 gpd, second priority, for stockwatering and 37,400 gpd, second priority, for irrigation of ten acres of land from San Gregorio Creek. The name of J. D. Killitz, a tenant on the land, has been removed from the Order of Determination.

#### 44.0

#### OBJECTION OF KAREN IRWIN, ET AL.

Karen Irwin, et al., own land riparian to Alpine Creek. The Report did not propose an allotment of water for the parcel because water was claimed for future use under an unexercised riparian right. (Report, p. II-75.) On behalf of the owners, Robert Petersen filed an objection to the Report regarding the failure to allocate water for future use. No appearance was made on behalf of the property owners at the Board's



hearing. We conclude that no water should be allotted from Alpine Creek for the Irwin parcel. See Paragraphs 27 and 28 of the Order of Determination regarding the future use of water under unexercised riparian rights.

**45.0**

**OBJECTION OF FRANK FOTI**

The Report found that the Frank Foti family owns land riparian to Coyote Creek. (Report, p. II-29.) No use of surface water was observed, therefore none was allocated. Frank Foti filed an objection to the Report which stated that the family has used water from Coyote Creek for domestic, irrigation, and stockwatering purposes. No appearance was made on behalf of the Foti family at the hearing. We conclude that the Frank Foti family should be allotted 500 gpd, first priority, for domestic use and 5,600 gpd, second priority, for irrigation of 1.5 acres from Coyote Creek.

**46.0**

**OBJECTION OF BARBARA BERGMAN**

The Report found that Barbara Bergman uses water for domestic purposes from a spring located on the Sills parcel and from a spring on her property. The Report concluded that Barbara Bergman lacked a riparian right to divert water from the Sills spring; therefore, no water was allocated from this source. (Report, p. II-66.)

Barbara Bergman objected to the Report and stated that she has a right to divert water from the Sills' spring. The right is apparently based on a written agreement between the Bergmans and the Sills', Barbara Bergman's parents, giving the Bergmans a personal right to use water from the spring for domestic use at their existing residence. Jack and Maureen Mehtala, the current owners of the property on which the spring is located, also submitted a letter stating that they have no objection to the allotment of water from their spring for domestic use by Barbara Bergman.

Although the evidence in the record appears to indicate that Bergman has a personal right, or license, to use water from the spring, there is no evidence in the record to indicate that a riparian right has been preserved in the Bergman parcel. Therefore, no water is allotted to her from this source.

No flows were observed from the spring located on the Bergman parcel. See Paragraph 41 of the Order of Determination regarding springs which are not tributary to the San Gregorio Creek Stream System.

47.0

**OBJECTIONS RELATING TO INSTREAM FLOWS**

In National Audubon Society v. Los Angeles Department of Water and Power 189 Cal.3d 419, 189 Cal.Rptr. 346,

658 P.2d 709 (1983) the California Supreme Court held that:

"... before state courts and agencies approve water diversions they should consider the effect of such diversions upon interests protected by the public trust, and attempt, so far as feasible, to avoid or minimize any harm to those interest."

Interests protected by the public trust doctrine include navigation, commerce and fisheries (id. at 435, 189 Cal.Rptr. at 356). Diversions from non-navigable waterways which affect trust uses in navigable waterways are subject to the doctrine (id. at 437, 189 Cal.Rptr. at 357). Finally, statutory adjudicatory proceedings under Water Code Section 2500, et seq., are subject to the doctrine (id. at 450, 189 Cal.Rptr. at 367).

Anadromous fish spawn and live their early life stages in fresh water but live mainly in the ocean, a navigable body of water. Steelhead are anadromous fish which are found in the San Gregorio Stream System. Such fish are protected by the public trust doctrine. The Board and the court are required to give consideration to avoid or minimize harm to the anadromous fishery that may result from diversions from the stream.

Paragraph 23 of the Preliminary Order of Determination proposed bypass allotments for both existing and future diversions. The bypass flows would be measured at the United States Geological Survey (USGS) stream gage, which is located approximately one mile upstream from the mouth of the creek. For existing diversions, a winter bypass of 5 cfs between storms was proposed for the period from December 1 to April 30. In addition, the entire stream flow was required to be bypassed for five days following storm events resulting in a stream flow greater than 50 cfs. A bypass of 2 cfs was proposed for May 1 through June 15. These bypass terms would apply on a correlative basis to all second priority water right allotments, which were defined to include all active riparian rights for outside residential domestic use, irrigation, and commercial stockwatering. (Report, p. III-11.) For dormant riparian and future appropriative rights, Paragraph 23 proposed bypass flows of 10 cfs for the period from December 1 to June 15 and 2 cfs from June 16 to November 31.

Several parties objected to the proposed instream allotments for fish and wildlife set forth in Paragraph 23 of the Preliminary Order of Determination.

(Report, pp. III-14 through III-15.) In particular, a representative of Peter M. Folger and the Estate of Peter Folger contended that the proposed bypass flows were unreasonable because: (1) the bypass flows are based upon minimal data and are therefore arbitrary; (2) the bypass terms are inappropriate in light of the hydrology and riparian water usage patterns of San Gregorio Creek; (3) the fishery resources of the creek are of minor importance in comparison to the use of creek waters for agriculture; (4) the proposed bypass flows would not have any substantial effect on the fishery; and (5) the imposition of the proposed bypass flows against third priority water users will effectively extinguish unexercised riparian rights.

The proposed bypass flows were developed by Douglas Albin, an Environmental Specialist employed by the Board. Mr. Albin testified as an expert witness on fisheries at the Board's hearings on this adjudication. No other witnesses with expertise in fisheries testified at the Board's hearings.\* Mr. Albin's recommendations were based upon his expertise in fisheries, one field reconnaissance of the stream

\* William G. Dunn requested to be recognized at the Board's hearing as an expert in the area of bypass flows for fisheries. His testimony revealed, however, that he lacked the necessary education, training, and experience to qualify as an expert in fisheries or aquatic biology. Transcript of Board's hearing on August 20, 1985, Vol. III, pp. 342, 381-384.

system, hydrologic data on the creek, Department of Fish and Game file data on the stream system, and scientific literature on small coastal streams in California. Although more information, such as an IFG-4 study, would be desirable as a basis for recommending bypass flows, additional field studies were not feasible under the Board's time and financial constraints. Under these circumstances, basing the proposed bypass flows on existing data is appropriate.

Based upon the evidence in the record, however, the Board concludes that the recommended bypass flows for existing diversions should be deleted. These bypass flows were proposed in order to protect the existing fishery resources without substantially impacting existing diversions. The evidence shows that riparian diverters rarely irrigate during December through April; consequently, a bypass for the winter season is of limited utility. There is insufficient evidence in the record to determine the extent of possible economic impact, or to assess the benefits to instream uses, of applying new bypass terms to existing diverters. Therefore, the proposed December 1 - April 30 bypass requirement of 5 cfs and the entire creek flow for five consecutive days when the streamflow rises above 50 cfs and the proposed May 1 - June 15 bypass requirement of 2 cfs should be deleted.

The Board also concludes that the bypass flows for future diversions are appropriate and should be retained unless a showing is made that a proposed diversion will not adversely affect those resources. As a practical matter, existing diversions and the unavailability of unappropriated water already preclude further direct diversions during the dry season. Any significant future water development will probably require diversion to storage during the wet season. Bypass requirements are appropriate in order to protect instream uses from unreasonable impairment as a result of development of future projects, including projects covered by water right applications pending before the Board.

Steelhead migrate upstream during and after storm events; consequently, a winter bypass term of the entire stream flow for five days when flows exceed 50 cfs will allow steelhead migration for spawning purposes. A bypass term of 10 cfs between storms will provide habitat for spawning and rearing of steelhead and other fishery resources, maintain suitable water temperatures, and facilitate production of invertebrate food items. A bypass of 10 cfs from May 1 through June 15 when the sandbar is open at the mouth of the

creek will facilitate the downstream migration of steelhead. A bypass of 2 cfs for the remainder of the year will provide a minimum amount of flow for the fishery resource during the critical dry months of the year.

One objector alleged that the fishery of San Gregorio Creek is of minor importance benefitting only a few local fishermen. Even if the fishery is of only local significance in economic terms, this does not void the public trust responsibilities of the Board. Inclusion of bypass terms helps protect the riparian vegetation as well as the wildlife and fisheries resources of the stream system. The proposed bypass terms consider the importance of, and strike a reasonable balance between, offstream and instream uses.

Paragraph 23, therefore, is revised, as new Paragraph 24 of this Order, to read as follows:

Instream Use Within the San Gregorio Creek Stream System

24. Minimum bypass flows provide for protection of fisheries, wildlife and other instream and public trust uses in the San Gregorio Creek Stream System. Unless a showing is made that a proposed diversion will not adversely affect these uses, any future activation of unexercised riparian rights and future appropriative rights, including



unpermitted applications presently before the State Water Resources Control Board, shall be subject to maintenance of the following minimum bypass flows at the USGS San Gregorio gage:

- (a) December 1 to April 30 - 10 cubic feet per second; except the entire flow shall be bypassed for five consecutive days after a Pacific storm causes streamflow to rise above 50 cubic feet per second.
- (b) May 1 to June 15 - 10 cubic feet per second when the sand bar at the mouth of San Gregorio Creek is open; 2 cubic feet per second when the sand bar is closed.
- (c) June 16 to November 30 - 2 cubic feet per second or the entire streamflow, whichever is less.
- (d) Additional specific bypass permit terms and conditions may be required pursuant to the appropriate water rights process as provided by the California Water Code or in other proceedings. For wet-season storage projects where immediate reference to flow at the USGS San Gregorio gage is determined to be impractical because of the absence of a watermaster, alternative minimum bypass flow criteria may be specified at a point more local to the project's point of diversion. Such alternative criteria should be designed to correlate with the above-stated criteria at the USGS San Gregorio gage.

ORDER

NOW, THEREFORE, IT IS ORDERED that the several rights in and to the use of water of San Gregorio Creek Stream System, in

San Mateo County, California, are determined and established as hereinafter set forth.

Definitions

1. "Water Code" means the State of California Water Code.
2. "Board" means the State Water Resources Control Board.
3. "Claimant" means a party who has filed a proof of claim of water right in and for the use of water from the San Gregorio Creek Stream System. Those persons having failed to file a proof of claim will have their rights determined pursuant to provisions of Water Code Section 2577.
4. "Stream system" means the San Gregorio Creek Stream System. It is comprised of the following perennial streams: San Gregorio Creek, La Honda Creek, Alpine Creek, Mindego Creek, Harrington Creek, Bogess Creek, and El Corte de Madera Creek. Intermittent streams are: Weeks Creek, Spanish Ranch Creek, Woodruff Creek, Langley Creek, Woodham Creek, Rogers Gulch, Kingston Creek, Clear Creek, and Coyote Creek. It also includes all unnamed tributaries from the headwaters to the Pacific Ocean and the waters flowing in known and defined subterranean streams which contribute to the San Gregorio Creek Stream System.

5. "Directly apply to beneficial use" means the direct conveyance and application of water diverted to useful purposes without intermediate storage, except such reasonable regulatory storage as may be practiced for the purpose of creating a convenient head of water for irrigation or other beneficial use allowed herein.
6. "Seasonal storage" means water collected during times of surplus flow and retained for use during times of deficient flow such as the summer and fall months.
7. "Regulatory storage" is defined as the collection of water under a direct diversion allotment in a reservoir in which the water is held in temporary storage for the purpose of creating a convenient head for irrigation or other beneficial uses allowed herein for a period of less than 30 days.
8. "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 land. Natural flow is distinguished from water released directly from storage for rediversion and use, or water imported from another watershed which is released directly to the natural channel for conveyance to the place of beneficial use.

9. "Watershed" means the drainage area or region which contributes to the water supply of a stream or lake.
10. "Return flow" is that portion of applied irrigation water that, after use, finds its way back into a ditch or drain and becomes available for reuse by persons other than the original diverter.

#### State Water Resources Control Board Map

11. The State Water Resources Control Board map (SWRCB map) is prepared by the Board from investigations made in 1980, 1981, and 1982 and from evidence presented at the Board's hearing in 1985. It is entitled "San Gregorio Creek Stream System Showing Ownerships, Diversions and Irrigated Lands, San Mateo County, dated 1989" and is on file in this proceeding. The SWRCB map comprises two sheets which are incorporated and included in this order.

#### General Entitlement

12. The claimants or their successors in interest found in this proceeding to possess water rights are entitled to the use of water of the San Gregorio Creek Stream System on their lands described under their respective names in Schedule 1, and shown on the SWRCB map, from points of diversion and/or rediversion described in Schedule 2, during the periods of

time specified in Paragraph 16 entitled "Seasons of Use" and in the amounts allotted and for the uses set forth after their respective names in Schedules 3, 4, and 5. The amount of water allotted to each claimant shall be measured at the points of diversion as described in Schedule 2 or at the nearest point of rediversion. Nothing contained herein shall be construed to allocate to any claimant a right to divert at any time from San Gregorio Creek Stream System more water than is reasonably necessary for his or her beneficial use, nor to permit that claimant a right to unreasonably impair the quality of the water.

#### Priority of Rights

13. In Schedules 3 through 5 the allotments to various claimants or their successors in interest from the San Gregorio Creek Stream System are set forth under numbered priorities. Within a given priority level all rights are equal in priority and correlative in right with all other rights of the same priority level appearing within the schedule. If sufficient water is unavailable to supply all of the allotments within a priority level, the available supply shall be prorated in accordance with the proportionate amount of water allocated to each allotment. No user of water is entitled to use any water until the allotments to all lower numbered priority levels have been satisfied. Thus, rights to water in the second priority are inferior and subordinate to all rights to water in the first priority.

The priorities are set as follows:

- a. All active inside residential domestic use, including water for domestic animals, is in the first priority without regard to whether the basis of the right is riparian or appropriative.
- b. All active riparian rights and all appropriative rights initiated prior to December 19, 1914 for outside domestic use, irrigation, and commercial stockwatering are in the second priority.
- c. All active riparian rights for industrial uses are in the third priority. Industrial uses include gravel washing and road maintenance.
- d. The active rights specified in a., b., and c. above have priority over the post-1914 appropriative rights listed in Schedules 6 and 7 except that all active inside residential domestic use set forth in Schedule 6 shall be in the first priority. Priority of post-1914 appropriative rights is established as of the date of filing of the application. New applications for appropriation of water shall be processed in accordance with Part 2 of Division 2 of the Water Code (commencing with Section 1200).

- e. Unexercised riparian rights will receive priorities in order of the date of application for activation. These priorities shall be subordinate to all valid pre-existing uses of water. Unexercised riparian rights may be activated and quantified in accordance with the provisions of Paragraphs 27 and 28 of this Order.
  
- f. Rights to the use of salvage water which are obtained in accordance with Paragraph 42 of this Order are in the first priority.

#### Post-1914 Appropriations

- 14. Pursuant to Water Code Section 2819, the Board shall continue to administer incomplete appropriations initiated by application under Water Code Section 1200 et seq. When the Board issues a license confirming appropriative rights which are presently incomplete, the licensee or the Board may petition the court for a supplemental decree confirming the right in accordance with the license. Licenses and permits for the appropriation of water from San Gregorio Creek Stream System are listed in Schedules 6 and 7. New applications for the appropriation of unappropriated water within the Stream System may be filed with the Board under Water Code Section 1200 et seq.

15. Seasons for diversion to storage of water from the San Gregorio Creek Stream System shall be in accordance with Permits, Licenses and Stockpond Certificates issued by the Board.

Seasons of Use

16. Allotments for irrigation shall be for use as required from April 1 to November 1 of each year. Allotments for domestic, stockwatering, industrial, and recreational purposes shall be for use as required throughout the year.

Domestic Use

17. 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 family orchard. Allotments for inside residential domestic use and watering domestic animals are in the first priority class of Schedules 3 through 6. Domestic irrigation and other outside domestic uses are included in the second priority class.

Stockwatering Use

18. Stockwatering is limited to water required by commercial livestock. All allotments designated for stockwatering in Schedules 3 through 5 are for water taken under control for stockwatering purposes. For livestock having access to and drinking directly from streams and natural depressions within



the San Gregorio Creek Stream System, allotments are limited to actual use by the livestock as required. When water is taken under control by pumping from the creek, amounts shall be limited as follows:

Milch cows .....	30	gpd per head
Range cattle and horses .....	15	gpd per head
Hogs and goats .....	2.5	gpd per head
Sheep .....	1.5	gpd per head

19. To prevent waste of water diverted from the San Gregorio Creek Stream System into watering troughs, surplus water shall be returned to the stream by means of a return conduit. Automatic shut-off devices may be installed on pumps as an alternative procedure. Water allotted for stockwatering shall not be used for any other purpose.

Irrigation Use

20. Irrigation use is limited to the application of water for the purpose of meeting moisture requirements of growing crops.
21. Claimants diverting water under allotments for irrigation use are entitled to use water for domestic and stockwatering purposes incidental to irrigation.

Domestic and Stockwatering Uses During the Non-Irrigation Season

22. To provide water at the various places of use for domestic and stockwatering purposes during the non-irrigation season from November 1 to about April 1, all claimants in Schedules 3, 4, and 5 are entitled to divert a sufficient amount of water in their priority class to deliver 0.01 cfs at the place of use and to offset reasonable conveyance losses. The watermaster shall determine the date the irrigation season begins.

Industrial Uses

23. Industrial use is limited to application of water by San Mateo County Road Maintenance Division in the building and maintenance of roads and for washing of gravel by Michael and Patrick Dempsey.

Instream Use Within the San Gregorio Creek Stream System

24. Minimum bypass flows provide for protection of fisheries, wildlife, and other instream and public trust uses in the San Gregorio Creek Stream System. Unless a showing is made that a proposed diversion will not adversely affect these uses, any future activation of unexercised riparian rights and future appropriative rights, including unpermitted applications presently before the State Water Resources Control Board, shall be subject to maintenance of the following minimum bypass flows at the USGS San Gregorio gage:

- a. December 1 to April 30 -- 10 cubic feet per second; except the entire creek flow shall be bypassed for 5 consecutive days after a Pacific storm causes streamflow to rise above 50 cubic feet per second.
- b. May 1 to June 15 -- 10 cubic feet per second when the sand bar at the mouth of San Gregorio Creek is open; 2 cubic feet per second when the sand bar is closed.
- c. June 16 to November 30 -- 2 cubic feet per second or the entire streamflow, whichever is less.
- d. Additional specific bypass permit terms and conditions may be required pursuant to the appropriative water rights process as provided by the California Water Code or in other proceedings. For wet-season storage projects where immediate reference to flow at the USGS San Gregorio gage is determined to be impractical because of the absence of a watermaster, alternative minimum bypass flow criteria may be specified at a point more local to the project's point of diversion. Such alternative criteria should be designed to correlate with the above stated criteria at the USGS San Gregorio gage.

### Equivalent Flow to Provide Adequate Head

25. All quantities of water allotted to the several claimants for direct application to beneficial use in Schedules 3, 4, and 5 are expressed in terms of continuous flow. However, such claimants may rotate the use of water with other related rights for the specified purpose of use and thus apply water to the place of use at a greater rate than indicated by the quantity of continuous flow so allotted. The several claimants may also divert, for limited periods of time, convenient "heads" to achieve the same purpose. 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 30-day period in excess of the equivalent of the claimant's continuous allowance. It is further provided that such practices of rotation or use of convenient "head" 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 the existing fisheries.

### Special Provisions

26. In Schedules 3, 4, and 5 all actual uses of water for domestic purposes including all domestic uses put to actual use between the close of the Board's hearing record in this proceeding and the date the Board adopts the Order of Determination and where all necessary discretionary

governmental approval has been granted, and inside domestic use under post-1914 appropriations, are allotted first priority rights.

Unexercised Riparian Rights

27. Article X, Section 2 of the California Constitution prohibits unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. Future use of water under unexercised riparian rights is unreasonable when supply is inadequate to satisfy the rights set forth in a decree and any supplemental decree issued by the court in this proceeding and use should be allowed only when water is surplus to the decreed rights. Therefore, the rights to divert water to presently dormant riparian land will receive a priority as of the date of application to the court or the Board.
28. a. All claimants and other persons not named in this decree owning land riparian to streams in the San Gregorio Creek Stream System upon which they do not presently exercise riparian rights to the use of water, or upon which they do not exercise riparian rights to the extent planned for the future and whose unexercised rights are not defined in this decree, shall have their rights defined, and shall exercise said rights only in accordance with the provisions of this paragraph.

b. Any person identified in subparagraph a. above may apply to the court under Paragraph 29 or to the Board under Paragraph 30 for definition of an unexercised riparian right which is not defined in this decree or in any supplemental decree. If the court finds that water is available and that such person proposes diligently, reasonably and beneficially to exercise such right, the court shall define the right in terms consistent with such proposed reasonable beneficial use and Paragraph 24 of this Order. Any riparian right defined pursuant to this paragraph shall be the subject of a supplemental decree and shall possess a priority as of the date of application to the court or to the Board, as the case may be.

c. Riparian rights defined pursuant to this paragraph shall be subject (1) to all rights which are defined in this decree, including any supplemental decree, as said decree exists on the date of application to the court or to the Board by a riparian claimant; and (2) to any appropriative right initiated by application in accordance with Part 2 (commencing with Section 1200) of Division 2 of the Water Code, prior to the date of application to the court or to the Board by a riparian claimant.

d. As an alternative to subparagraph b. above, any person identified in subparagraph a. above may apply to the Board for a post-1914 appropriative right in accordance with Paragraph 14 of this Order. If an appropriative right is granted, it will receive a priority in accordance with Paragraph 13.d. of this Order.

#### Reserved Jurisdiction

29. 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.

#### Changes in Exercise of Rights

30. Any party who wishes to change or modify the exercise of his or her rights set forth in the decree may request the Board to investigate said change or modification. The Board shall notify affected parties of its investigation and provide 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 proceeding 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 expense of such investigation.

Proceedings on the apportionment of the expense shall closely conform to 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 or her rights set forth in the decree.

#### Appointment of a Watermaster

31. The parties to this adjudication shall appoint a watermaster to distribute water in accordance with this decree. This court retains continuing jurisdiction to approve any watermaster appointed by the parties, to appoint a watermaster if the parties do not do so or to appoint a replacement watermaster if the parties do not do so within 30 days after an appointed watermaster ceases to perform duties under this decree. Any party to the adjudication or the State Water Resources Control Board may petition the court to approve or appoint a watermaster under this provision or the court may take steps to do so on its own motion. All fees



costs and expense of the watermaster shall be borne proportionately by the parties in the same ratio that their individual water rights bear to the total water rights herein allocated.

All persons diverting water from the San Gregorio Creek Stream System shall install and maintain meters in their conveyance lines conveniently located so as to be accessible for reading by the watermaster. Meters in irrigation lines shall be calibrated to show instantaneous flow in gallons or cubic feet per minute and all meters shall show cumulative amounts in gallons or cubic feet. Access to electric meters and to the place of use of water shall also be provided to the watermaster. All meters shall be properly installed and operative throughout each watermastering season. Diversions for stockwatering conforming to the provisions of Paragraph 18 are exempt from the meter requirements.

#### Water Rights Disputes in Adjudicated Area

32. 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 as necessary to settle the dispute. Any party who alleges that the watermaster is not regulating his or her water rights 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 proceeding in lieu of hearing, the Board shall duly notice and schedule a hearing or other proceeding in lieu of hearing. Following its investigation, the Board shall file its report which determines whether the watermaster has regulated the water rights 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 closely conform to 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.

#### Effect of the Decree

33. Each and every claimant, his or her agents, successors, grantees and assigns, shall 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 San Gregorio Creek Stream

System as defined in this decree at any time in excess of a quantity reasonably necessary for, and actually applied to, reasonable beneficial use 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 in this action.

34. When the decree is entered, it is conclusive as to the rights of all existing claimants in the San Gregorio Creek Stream System as defined herein.
35. When the decree is entered in this matter, the judgment supersedes and modifies all inconsistent former judgments and decrees as to the rights to the water of the San Gregorio Creek Stream System. However, the judgment does not supersede rotation or ditch agreements consistent herewith.
36. 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 San Gregorio Creek Stream System as defined herein. Such claimants forfeit all rights to water heretofore claimed by him or her on said stream system, other than as provided in this decree, unless entitled to relief under the laws of this state.

37. The following claimants or their successors in interest, and others not presently identified, own lands which are riparian to sources of water within the San Gregorio Creek Stream System. Since the riparian rights on these lands are unexercised, they are not allotted water in this order.

Adam, Susan L. and Fletcher, Kenneth

Banducci, Jamie and Linda

Bell, Cora

Blest, Anna W.

Bowen Construction Inc.

Brown, Kathleen Delahay and Delahay, Joan E.

Bullis, Richard S.

Callen, T. J., et al.

Carey, Helen, et al

Cargile, William P.

Collett, Owen M. and Collett Investment Co.

Crawford, Doris B. and Batchelder, Joseph H.

Currie, Maria C.

Darling, Ned P.

DeGnon, Maureen

DeLaurier, James D. and Susan L.

Egger, Eugene and Alice

Eisenhut, Wolfgang O. and Ursula

Eranosian, Jack and Lytle, Marsha

Folger, Peter M.

Folger, Peter - (Estate of)  
Gamble, Foster R.  
Gordon, Martin  
Hewes, Harold L. and Carolyn D.  
Hillis, Jerry D.  
Hruska, Elias and Maria and Prewitt, Jerry and Elizabeth  
Irwin, Karen, et al.  
Jagger, J., et al.  
Johnson, Keith L. and Dietlind  
Johnson, Lorraine  
Kreiger, Josephine & Virtanen, Pertti K.  
Lambert, Alan and Huynen, M.  
Larson, Allen H. and Julia  
Lindstrom-Foster, Kareen  
Low, Raymond and Mariann  
Lutz, Barbara  
McFall, Gary W.  
McFarland, Keith H. and Luella S.  
McNamara, Terrence  
Midpeninsula Region Open Space District  
Mills, Elgie R. and Eileen  
Modena, Sylvia  
Nolte, George S.  
Pereira, Pete et al.  
Peterson, Herbert G.  
Proia, Robert and Marilyn

Quam, Lynn H. and Marsha Jo Hannah  
Quan, James L. and Helen Su Wei  
Rancho Canada De Verdes Inc.  
Rillo, Alfred  
Russ, Albert and Paula  
San Gregorio XMAS Tree Inv. II  
Seligman, Garrett V. H.  
Shelton, Gilbert L. and Judy L.  
Silva, Joseph P. and Isabel M.  
Smallen, Martin and Delores  
Stern, M.  
Thompson, G. B.  
Toepfer, Delores E. and George O. Jr.  
Warren, J. Jr.  
Weaver, James L. and Dorothy J.  
Welch, Frank and Alma  
Wheeler, Harriett  
Wilson, David P. and Woodruff, Michele

38. Other claimants or their successors in interest own land upon which riparian or appropriative rights are exercised. The places of use and points of diversion for exercised rights are set forth in Schedules 1 and 2. Water is allotted pursuant to Schedules 3, 4, 5, 6, and 7. These claimants or successors may also own other lands upon which no water is used and which may be riparian to sources within the stream

system. Procedures for activation of use of water under a riparian right by any of the above parties, and by others who are presently unidentified, or for expansion of use under unexercised riparian rights are set forth in Paragraphs 27 and 28 of this Order of Determination.

39. Some or all of the lands of the claimants or successors in interest listed below have been found to lack the necessary physical requirements to be considered riparian to any source of water within the San Gregorio Creek Stream System or the claimants hold no valid appropriative right for diversion of water. Therefore no allotments are made for use of water on those lands. Any person desiring to make use of water must file an application with the Board. If the application is approved, it will receive a priority in accordance with Paragraph 13.d. of this Order.

Aitken, Donald W. Jr. and Elizabeth J.

Anderson, Raymond E.

Barrett, Kenneth G. and Ana

Baskin, William H. & Renas, Barbara Jean

Bergman, Barbara

Bridge, Walter W.

Bullis, Richard S.

Cargile, William P.

Carter, Howard T. and Grace M.

Chonette, Otto W.  
Clebsch, William A. and Betsy B.  
Cohen, Michael  
Connor, William  
Cooper, Edward L. and Lois B.  
Crow, Lynn  
Cunha, Henry and Marie  
Currie, Maria C.  
DeGnon, Maureen  
Djerassi, Carl as Trustee of Various Trusts  
Driscoll, Rudolph W.  
Dyers, Calvin Y.  
Ely, Leonard  
Fanelli, Anthony E.  
Farmanian, Arman  
Gissler, William A. and Louise  
Greenberg, Richard and Barbara  
Hargis, Ronald I. and Barbara  
Herman, Verla J.  
Hope, Ned F. and Margaret G.  
Hruska, Elias and Maria & Prewitt, Jerry and Elizabeth  
Irizarry, James P. and Porfirio  
Irwin, Karen et al.  
Isenberg, Gerda  
Jaqua, A. R.  
King, Mary Ursula



Lane, Richard Q.  
Lewis, Melvin  
Marquis, William J.  
McClelland, John W.  
McDonald, Edith C.  
McFarland, Keith W. and Luella S.  
McKendrick, Mary E.  
Miller, Richard K.  
Nelson, Patricia J.  
Nitchy, John P.  
O'Neil, Phillip C.  
Paulin, Joan M. & Keller, Meredyth, et al.  
Pearson, Chris, Carl E. and Helen J.  
Perkins, Steven D.  
Peters, Colin  
Pratt, Melvyn E., Jr.  
Rancho Canada De Verdes Inc.  
Renas, Barbara  
Rorden, Louis H.  
Rotterman, Marshall and Delores  
Roussel, Oliver  
Ruiz, Robert P.  
Seaman, William E. and Carolyn L.  
Seielstad, Harold E.  
Shaw, Bernard  
Silva, Paul V. and Mary J.

Sky L'onda Mutual Water Company

Smallen, Martin and Dolores

Stoner, N. A. Trustee & Guerrero, John F. et al.

Throckmorton, John C.

Tretten, Ida F.

True, Corinne

Warren, J. Jr.

Watson, John R. and Miriam

Williams, Curt

Williams, Rhona and National Audubon Society

Wilson, Albert

Wolf, Robert E., Sr. and Dorothy

Wool, Albert J.

Zalewski, Thomas B.

#### Statements of Diversion and Use

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

#### Non-Tributary Springs

41. Where the natural flow from a spring does not pass beyond the boundary of the land on which it is located, the owner of the land on which the spring is located owns the entire flow of

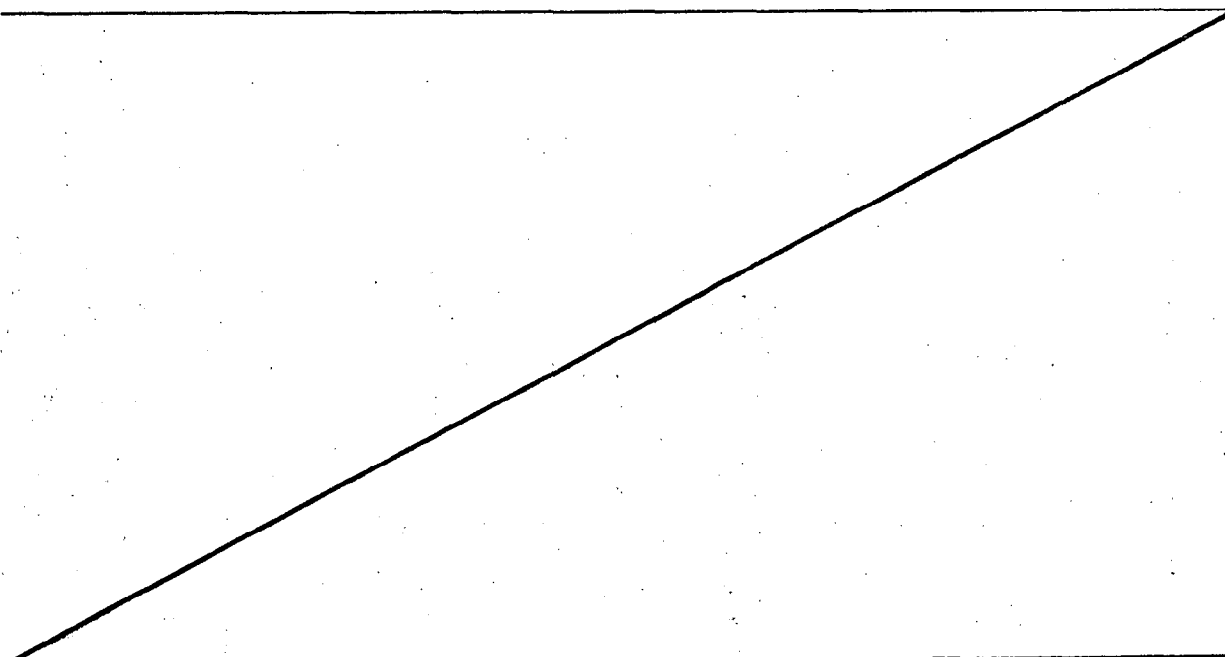
the spring and may use all of it. Such water may be used by those landowners without obtaining a permit from the Board. Those springs and pools are not included in this adjudication.

Salvage Water

42. a. The court shall allow the diversion and use of salvage water only where the work will not result in injury to the rights of any lawful user of surface water or ground water and will not unreasonably affect fish, wildlife, or other beneficial uses. Persons shall have their rights to salvage water defined, and shall exercise said rights only in accordance with the provisions of this paragraph.
- b. Any person may apply to the court under Paragraph 29 or to the Board under Paragraph 30 for definition of their rights to salvage water. Each application shall be accompanied by a plan for salvaging the water. No application to salvage water shall be granted unless the plan demonstrates, and the court or the Board finds, that the work will make additional water available, will not result in injury to the rights of any lawful user of surface water or ground water, and will not unreasonably affect fish, wildlife, or other beneficial uses.

c. The salvage work shall not be commenced until the person seeking to make salvage water available has obtained approval from the court or the Board. As a condition of approval, the court or the Board may require annual maintenance work for salvage water obtained by vegetation modification and that the salvagor file periodic reports describing the extent and amount of water made available due to the salvagor's efforts.

d. Any right to salvage water defined pursuant to this paragraph shall receive a first priority in accordance with Paragraph 13.f. of this Order. Such right is in effect only as long as water is salvaged according to the plan submitted with the application.



Modification of Permits and Licenses

43. After the decree has been entered, the Board shall modify all existing permits and licenses within the adjudicated area to conform to the decree.

**CERTIFICATION**

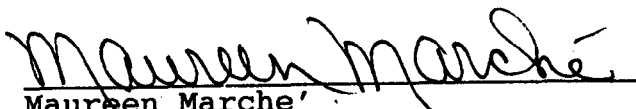
The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 20, 1989.

**AYE:** W. Don Maughan  
Darlene E. Ruiz  
Edwin H. Finster  
Eliseo M. Samaniego  
Danny Walsh

**NO:** None

**ABSENT:** None

**ABSTAIN:** None

  
Maureen Marche  
Administrative Assistant to  
the Board



SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of	1/4		(S)	(W)
					MDB&M		
Aitken, Donald W. Jr. and Elizabeth J.	D		SW	SW	8	7	3
Anderson, Raymond E.	1,D,S	3.8	SE	NE	20	7	4
			SW	NW	21	7	4
Andrade, Antone V. and John R.	D,S,I	9.4	W1/2	NW	20	7	4
		2.6	NE	NE	19	7	4
		<u>12.0</u>					
Armstrong, Sara A. and Thomas H.	I	3.2	SE	NW	15*	7	5
		6.8	NE	SW	15*	7	5
		<u>10.0</u>					
Barnard, Dorothy D.	D		SW	SE	23	7	4
Beck, Ronald E. and Geraldine A.	D,I	3.0	SW	NE	14*	7	5
Bell, Frank P. and Mildred B.	I	2	SE	NW	15*	7	5
Belton, Arthur J., et al.	D		NW	SE	6*	7	4
Benster, Richard	D		NE	NE	35	6	4
Bergman, Barbara	D,S		NW	NW	17	7	3
Bernardo, Esther S.	D,S		NW	NW	13*	7	5
Berry, Kenneth E. & Carr-Hartman, Wendy	D		NW	NE	2	7	4
Blomquist, Robert L.	I	5	S1/2	NW	15*	7	5
Bradley, J. Paul and Jean E.	D		SW	SE	2	7	4
Bridge, Walter W.	1,S	70		N1/2	16*	7	5
	D		SE	NE	16*	7	5
Bright, R. D.	D		NE	NE	6*	7	4
Bulloch, George and Judy	D,I	0.17	SE	NE	22	7	4

\* Projected Section

\*\* Use: D - Domestic, I - Irrigation, S - Stockwatering, FP - Fire Protection,  
Ind - Industrial, FC - Fish Culture, R - Recreation

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of	1/4		(S)	(W)
					MDB&M		
Busenbark, Mary E., Susan A. and Loriel	D,I	0.5	NW	NE	22	7	4
Butler, Gary and Sherry	D,S		NE	NE	24	7	5
City and County of San Francisco	D		NE	SW	24	7	4
	D		SW	SE	24	7	4
	I		SW	SE	24	7	4
California Department of Parks and Recreation	I	12	SW	NE	16*	7	5
			NW	SE			
Carnevale, Jo Ann	D,S		SW	SE	18*	7	4
Carr, John F., et al.	D,I	3	E 1/2	NW	22	7	4
Carter, Howard T. and Grace M.	D		SE	SW	2	7	4
Cavanaugh, Peggy & Johnson, Patricia Cavanaugh	D		SW	NE	22	7	4
	I	2	SW	NE	22	7	4
Clebsch, William A. and Betsy B.	D,I	0.06	SW	NE	18	7	3
Clement, Charles Edgar	D		NW	NE	35	6	4
Coggins, et al.	D,S,I	1	N 1/4	NE	23	7	4
	S		S 1/4	SE	14	7	4
Collett, Kenneth J.	D,S,I	0.25	NW	SE	26	6	4
Connor, William	D,S		SE	SE	7	7	3
			NE	NE	18	7	3
Consolidated Farms Inc.	D,S		NW	NW	1*	7	5
	S		SE	SE	1*	7	5
	S		SW	SW	2*	7	5
	S		NE	SW	2*	7	5
	S		N 1/2	NW	12*	7	5
	D		NW	SE	11*	7	5
	S		SE	NE	11*	7	5
	S		NW	NW	11*	7	5
	S		SW	SE	11*	7	5
	S		SE	SW	11*	7	5
Cooper, Edward L. and Lois B.	D		NW	NW	22	7	4

\* Projected Section



SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of 1/4			(S)	(W)
					MDB&M		
Crane, Phillip C.	D,S		SW	NW	13*	7	5
	I	1	SE	NE	14*	7	5
Crow, Lynn	D		NE	SE	35	6	4
Cuesta la Honda Guild	D,R,FP			S1/2	14	7	4
			NW	NW	23	7	7
Davidson, F. M	D		NE	NE	26	7	4
Demeter, Michael J. & Derry, James et al.	S		NE	NE	11	7	4
Dempsey, Michael and Patrick (Isenberg property, Lessor)	D,Ind.		NW	SE	7	7	3
Djerassi, Carl C., Trustee	S			E1/2	33	6	4
	S			W1/2	34	6	4
	D		NW	NE	32*	6	4
	S,I	20		SE	29*	6	4
Dorsey, David J. and Susan M.	D,S		NE	SW	33	6	4
Driscoll, Rudolph W.	D,S		NW	NW	11	7	4
	D,S		N1/2	SE	10*	7	4
	S		NE	SW	10*	7	4
	S,R		NW	NW	14*	7	4
	S		NW	NE	15	7	4
	D,S		NE	NW	15	7	4
	D,S,I,R	10	SE	NW	15	7	4
D,I	1.0	NE	SE	16*	7	4	
Dyers, Calvin Y.	S,I	8	W1/2	SE	27	6	4
Eberwein, Russell W.	D		NE	NE	26	7	4
Eisenhut, Wolfgang O. and Ursula	S		SW	NE	33	6	4
	S		SE	NW	33	6	4
First American Title Insurance Company	I	12	NE	NE	15*	7	5
	I	13	N1/2	NW	14	7	5
	I	12	SW	SE	10	7	5
Fischman, Stanley E. and Linda	D,I	2	SE	SE	35	6	4

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE					
			SUBDIVISION		SECTION	TOWNSHIP	RANGE	
			1/4 of	1/4		(S)	(W)	
Flores, Roger A. and Carol E.	D,I	1	NE	NW	14	7	4	
Folger, Peter M.	S		SW	NW	12	7	4	
	S		NW	SW	9	7	4	
	S		SW	NW	16	7	4	
Foti, Frank	D,I	1.5	NE	NW	14	7	5	
Fowers, David C. & Fusano, I.	D,I	1.25	SW	SE	2	7	4	
Fox, Richard K.	D,I	0.5	NE	SW	11	7	4	
Franklin, Jon R. and Joanne	D		NE	NW	21	7	4	
Gasslon, Lucille & Peters, Bernice	D		SE	NE	26	7	4	
Gissler, William A. and Louise	D		SW	NW	23	7	4	
Glass, Nancy, Michael and Sharon	S,I	6	NW	NE	20	7	4	
Glass, William and Nancy E.	D,S		NW	NE	2	7	4	
Goldthwaite, Robert and Lyda	D,I	0.5	NW	NE	35	6	4	
Gottwald, Louis K.	D		NE	SW	23	7	4	
Gough, Irene et al.	D,I	42	SW	SW	32*	6	4	
		6	NW	NW	5*	7	4	
		48						
Gould, Dennis R. and Betty L.	D,I	0.33	SW	SE	18	7	4	
Hargis, Ronald I. and Barbara	D		NW	NE	26	7	4	
Harris, Robert E. and Barnette	D,I	0.1	NE	SW	11	7	4	
Herman, Verla J.	D		SW	NW	23	7	4	
Hope, Ned F. and Margaret G.	D		NW	NW	22	7	4	
Irhazy, Daniel R.	D		SE	NE	22	7	4	

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION 1/4 of 1/4		SECTION	TOWNSHIP (S) MDB&M	RANGE (W)
Isenberg, Gerda	S	2.5	NW	SW	7	7	3
	D,S,I		E1/2	12	7	4	
Jagger, Jerry, et al.	D		SE	NE	35	6	4
Jaqua, A. R.	D,S,I	0.5	S1/2	SW	12	7	4
Jayne, William and Joan	I,S	4	E1/2	NW	20	7	4
Jepsen, Donald E. and Kristie L.	D		SW	NW	15*	7	5
Jepsen, Luke	I	2	SE	NE	20	7	4
Johnson, Alan and Maripat	D		NE	SW	30	7	3
Johnson, Lorenz F. and Shirley R.	D		NE	SW	30	7	3
Kirkpatrick, Sandra & Rogers, C. Howard	D		NW	SW	23	7	4
King, Mary Ursula	D		NW	SW	23	7	4
Klingman, Edwin E. & Moty, Karen T.	D,I	90		W3/4	13*	7	5
La Honda Vista Water Co. No. 1	D			NE	35	6	4
Lane, Richard Q.	D		NW	NW	26	7	4
Lee, Mabel E.	D		NW	SW	23	7	4
Leis, Nancy	D		NW	NE	26	7	4
Lindley, John P. and Lois F.	D		SE	NE	2	7	4
Maita, Phil	D	5	SE	NE	14*	7	5
	I		SE	NE	14*	7	5
Marchi, Peter & Sons, Inc.	I,R,FP	65 25 90		NE	15*	7	5
			W1/2	NW	14*	7	5
Marie-Rose, Henri	D		SW	NE	35	6	4

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE							
			SUBDIVISION		SECTION	TOWNSHIP	RANGE			
			1/4 of	1/4		(S)	(W)			
Marquis, William J.	D		NW	NW	22	7	4			
McClelland, John W.	D,I	1	SW	SE	35	6	4			
McConnell, Harden M. and Sophia G.	D,I S	3 <u>2</u> 5	NW SE	SE NE	30 30	7 7	3 3			
McDonald, Edith C.	S S S		NE SW SE	SW NE SE	35 2 3	6 7 7	4 4 4			
McGhee, John M. and Rosemary	I,S,D	8	SE	SE	13*	7	5			
McMillan, W. Bruce and Evelyn	D		SE	NE	22	7	4			
Mehtala, Jack and Maureen	D,I	1	NE	NW	17	7	3			
Mello, Melvin A., Sr.	I	5	E1/2	SE	13*	7	5			
Messersmith, Arny	D,I	0.05		N1/2	6*	7	4			
Miller, Richard K.	D,I,S	5	SW E1/2	SW SW	5* 6*	7 7	4 4			
Modena, Raymond and Jeanette & Modena, James and Jacqueline	D,I,S	11	S1/2	NE	14*	7	5			
Montgomery, Reed and Susan	D		NW	SW	23	7	4			
Muzzi, Nicola D. and Liana M. & Campinotti, Edward and Dianna M.	I,R,FP	5.8 45.3 <u>13.4</u> 64.5	S1/2 E1/2	SE NE NW	10* 15* 15*	7 7 7	5 5 5			
Nelson, Patricia J.	D		SW	NE	14	7	4			
Neuman, Grover B.	D		NW	SE	6*	7	4			
Nitchy, John P.	D		NW	NW	22	7	4			
Nokes, George S. and June	I	0.1	SW	SE	16*	7	4			

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of	1/4		(S)	(W)
					MDB&M		
Oaks, Norman E. and Beverly M.	I,S	2.5	NE	SE	32*	6	4
	D,I,S	5.5	NW	SW	33	6	4
		<u>8.0</u>					
Optimist Volunteers for Youth, Inc.	I	1.5	SW	NW	21	7	4
Paulin, Joan M. & Keller, Meredyth, et al.	D		NW	NW	26	6	4
Pearson, Chris, Carl E. and Helen J.	D,I,S	4	S 1/2	NW	1	7	4
	S		SE	NE	2	7	4
	S		SW	SW	1	7	4
Peterson, Pete & Bertolotti, Janice	D		SW	NW	15	7	5
Pettichord, Ben R.	FC,D		NW	NW	22	7	4
Pinard, Douglas F., et al.	D,R,I	0.5	NW	NE	26	7	4
Pollock, Corinne and C. P.	D		SW	NW	15*	7	5
	I	12.5		E 1/4	16*	7	5
		12	W 1/2	SW	15*	7	5
		<u>2.5</u>	SW	NW	15*	7	5
		<u>27.0</u>					
Pratt, Melvyn E., Jr.	S,FP,I,D	5	SW	NW	29	7	3
Raynor, Charles W.	D,I,S	10	SE	NW	20	7	4
			SW	NE	20	7	4
Redwood Terrace Water System	D		NW	NW	22	7	4
Regan, John W. and Dorothy	D,S,I	8	SW	SW	17*	7	4
		<u>2</u>	NW	NW	20	7	4
		<u>10</u>					
Reid, Peter H. and Barbara W.	D,I	66		NW	5*	7	4
		<u>24</u>	SE	NE	6*	7	4
		<u>90</u>					
Repetto, August J. and Doris A.	I,R,FP	19	E 1/2	NW	14*	7	5
		<u>9</u>	W 1/2	NE	14*	7	5
		<u>28</u>					

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of	1/4		(S)	(W)
				MDB&M			
Reynolds, Norman Thomas	S		N1/2	NE	14	7	4
Rials, Edward	I	4	SE	SE	18*	7	4
Rials, Thomas E.	D,I	0.2	NW	NW	22	7	4
Riggles, Orville H.	S,I	2.25	SE	NE	20	7	4
Roberts, Elliot	S,I,R, D,FP, S	8 8	SW NE	SW NE	33* 5	6 7	4 4
Rotterman, Marshall and Delores	D		NW	NW	22	7	4
Rorden, Louis H.	I,S	8	SE	NE	14	7	4
Roussel, Oliver	D		SW	SE	16	7	4
San Francisco, City and County	D,I	2	SE	NW	24	7	4
San Mateo County Road Maintenance Division			Road maintenance within the San Gregorio Creek watershed.				
San Mateo County Glenwood Boys Ranch	D		SE NE	SE NE	23 26	7 7	4 4
San Mateo County Ranger Station	D		SW	NW	23	7	4
San Mateo County Sam McDonald Park & Service Area No. 7	D			E 1/2	22	7	4
			SW	NW	23	7	4
				SW	23	7	4
			SW	SE	23	7	4
				E 1/2	26	7	4
			NE	NW	26	7	4
Schroyer, Jerry	D,I	0.13	SW	SE	2	7	4
Seifelstad, Harold E.	S		NE	NE	5*	7	4
Semisch, L. W.	D,I	0.53	SE	SE	13*	7	5
Shaw, Bernard	D		NW	NE	26	7	4

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION		SECTION	TOWNSHIP	RANGE
			1/4 of	1/4		(S)	(W)
					MDB&M		
Silva, Paul V. and Mary J.	D,I	0.16	SE	SW	2	7	4
			NE	NW	11	7	4
Sky L'onda Mutual Water Company	D,FP		NE	NW	26	6	4
				E1/2	26	6	4
			SW	SW	25	6	4
Solem, Lynn R.	D,I	0.02	NE	NE	26	7	4
Souza, Manual V. Jr., et al.	D,I S	3.25	S1/2	SE	13*	7	5
			NW	NW	18*	7	4
Stafford, Tom	D,I	10	SE	NW	20	7	4
		<u>2</u>	SW	NE	20	7	4
		12					
Stariha, David J. and Marina J., & Van Giesen, Nicolaas	I	5	NE	SE	13*	7	5
Stebbins, Robert	D,I	3	SW	SE	16*	7	4
Stoner, N. A. (Trustee) & Guerrero, John F., et al.	D		NE	NE	35	6	4
Thompson, Kristen and Eric	D		SW	NW	23	7	4
Throckmorton, John C.	S		NW	SW	22	7	4
	D,S,I	11	S1/2	NE	21	7	4
	<u>10</u>	N1/2	SE	21	7	4	
		21					
Tichenor Ranch	D,S		S1/2	SE	16*	7	4
True, Corinne	S		SW	SW	19	7	3
	D,S,I	1	S1/2	SE	18	7	3
	D,S,I	<u>1.25</u>	N1/2	NE	19	7	3
		2.25					
Urgo, Michael	D,I	2	NE	NW	22	7	4
Waik, Walter A.	D,I	0.25	SW	NE	11	7	4
Wallace, Robert A.	D,I	5	SW	NW	30	7	3
Weber, Jaroy	D		NE	SE	35	6	4
	D,I,S	1	N1/2	NE	33	6	4

\* Projected Section

SCHEDULE 1  
(continued)

DESCRIPTION OF PLACES OF USE OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF CLAIMANT	USE**	ACRES	PLACE OF USE				
			SUBDIVISION 1/4 of 1/4		SECTION	TOWNSHIP (S) MDB&M	RANGE (W)
Williams, Curt	D,S		W1/2	NW	1	7	4
Williams, Rhona, & National Audobon Society	D		NW	SW	36	6	4
	S		SW	NE	1	7	4
	S		NE	SW	1	7	4
	D,1,S	6	SE	SE	1	7	4
	S		NW	SW	6	7	3
	S			N1/2	12	7	4
Wolf, Robert E., Sr. and Dorothy	D		NW	NW	22	7	4
Wool, Albert J.	S			N1/2	9	7	4
	S		SE	NE	4	7	4
	S		S1/2	SW	4	7	4
Winkle, Roger A. and Linda F.	D		NW	SE	35	6	4
Young, Neil	D,S,1	10	S1/2	NE	32*	6	4
			SE	NW	32	6	4
	D,S,1	40	N1/2	NW	32*	6	4
			SE	NW	32	6	4
	D,S,1	6	NE	NE	31*	6	4
	S,1	70		SW	31*	6	4
	S,1	2	SE	NE	36	6	5
	128						
Zalewski, Thomas B.	S,1	3	NW	SE	13*	7	5

\*Projected Section



SCHEDULE 2

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Paulin-Keller Pipeline	1	SW1/4 of NW1/4 Sec. 26, T6S, R4W	NW Corner Sec. 26	S11°E	1,500
Sky L'onda Pump	2	NW1/4 of NE1/4 Sec. 26, T6S, R4W	NW Corner Sec. 26	S71°E	2,960
Sky L'onda Reservoir	3	NW1/4 of NE1/4 Sec. 26, T6S, R4W	NW Corner Sec. 26	S76°E	3,150
Collett Pipeline	4	NW1/4 of SE1/4 Sec. 26, T6S, R4W	SE Corner Sec. 26	N48°W	2,720
Collett Offset Well Pump	5	NW1/4 of SE1/4 Sec. 26, T6S, R4W	SE Corner Sec. 26	N43°W	2,570
Goldthwalte Clements Pipeline	6	NW1/4 of NE1/4 Sec. 35, T6S, R4W	NE Corner Sec. 35	S75°W	1,580
Stoner-Guerrero Pipeline	7	NE1/4 of NE1/4 Sec. 35, T6S, R4W	NE Corner Sec. 35	S12°W	650
La Honda Vista Pipeline	8	NE1/4 of NE1/4 Sec. 35, T6S, R4W	NE Corner Sec. 35	S44°W	1,270
La Honda Vista Offset Well Pump	9	NE1/4 of NE1/4 Sec. 35, T6S, R4W	NE Corner Sec. 35	S44°W	1,320
Winkle Pump	10	NW1/4 of SE1/4 Sec. 35, T6S, R4W	SE Corner Sec. 35	N35°W	2,800
Crow Pump	11	NW1/4 of SE1/4 Sec. 35, T6S, R4W	SE Corner Sec. 35	N38°W	2,400
R. Williams, et al. Pipeline	12	NW1/4 of SW1/4 Sec. 36, T6S, R4W	SW Corner Sec. 36	N13°E	1,630
Weber Pipeline	13	SE1/4 of SE1/4 Sec. 35, T6S, R4W	SE Corner Sec. 35	N32°W	1,500

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Fischman (pump) Diversion Site	15	SW1/4 of SE1/4 Sec. 35, T6S, R4W	SE Corner Sec. 35	N58°W	1,750
McDonald Stockpond	16	NE1/4 of SW1/4 Sec. 35, T6S, R4W	SE Corner Sec. 35	N55°W	3,950
McDonald Pipeline	17	SE1/4 of SW1/4 Sec. 35, T6S, R4W	SW Corner Sec. 35	N70°E	2,450
McClelland Pipeline	18	SE1/4 of SW1/4 Sec. 35, T6S, R4W	SW Corner Sec. 35	N70°E	2,450
Glass Pipeline	19	SE1/4 of SW1/4 Sec. 35, T6S, R4W	SW Corner Sec. 35	N70°E	2,450
Berry & Carr-Hartman Pipeline	20	SE1/4 of SW1/4 Sec. 35, T6S, R4W	SW Corner Sec. 35	N70°E	2,450
R. Williams, et al. Stockpond	21	SW1/4 of NE1/4 Sec. 1, T7S, R4W	NE Corner Sec. 1	S60°W	3,150
R. Williams, et al. Spring	22	NE1/4 of SE1/4 Sec. 1, T7S, R4W	SE Corner Sec. 1	N10°W	2,500
R. Williams, et al. Stockpond	23	NE1/4 of SW1/4 Sec. 1, T7S, R4W	SW Corner Sec. 1	N50°E	3,450
Pearson, et al. Stockpond	24	NW1/4 of SW1/4 Sec. 1, T7S, R4W	SW Corner Sec. 1	N18°E	2,750
C. Williams Spring	25	SE1/4 of NW1/4 Sec. 1, T7S, R4W	NW Corner Sec. 1	S50°E	2,100
Pearson, et al. Pipeline	26	NW1/4 of SW1/4 Sec. 1, T7S, R4W	SW Corner Sec. 1	N19°E	2,200
C. Williams Pipeline	27	SW1/4 of NW1/4 Sec. 1, T7S, R4W	NW Corner Sec. 1	S14°E	2,050

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Pearson, et al. Pump	28	SW1/4 of NW1/4 Sec. 1, T7S, R4W	NW Corner Sec. 1	S9°E	2,000
Pearson-Lindley Pipeline	29	NE1/4 of SE1/4 Sec. 2, T7S, R4W	SE Corner Sec. 2	N2°W	2,550
Pearson, et al. Pipeline	30	SW1/4 of SW1/4 Sec. 1, T7S, R4W	SW Corner Sec. 1	N23°E	1,400
Fowers Pipeline	31	SE1/4 of SE1/4 Sec. 2, T7S, R4W	SE Corner Sec. 2	N38°W	1,060
Schroyer Pipeline	32	SE1/4 of SE1/4 Sec. 2, T7S, R4W	SE Corner Sec. 2	N75°W	1,280
P. Silva Pipeline	33	SW1/4 of SE1/4 Sec. 2, T7S, R4W	SE Corner Sec. 2	N80°W	1,420
Bradley Pipeline	33A	SW1/4 of SE1/4 Sec. 2 T7S, R4W	SE Corner Sec. 2	N80°W	1,420
Carter Pipeline	34	SW1/4 of SE1/4 Sec. 2, T7S, R4W	SE Corner Sec. 2	N80°W	1,420
McDonald Stockpond	35	NE1/4 of SE1/4 Sec. 3, T7S, R4W	SE Corner Sec. 3	N36°W	1,850
Driscoll Pump	36	NW1/4 of NW1/4 Sec. 11, T7S, R4W	NW Corner Sec. 11	S57°E	1,200
Aitken Pipeline	37	SW1/4 of SW1/4 Sec. 8, T7S, R3W	SW Corner Sec. 8	N57°E	930
Dempsey Reservoir	39	NW1/4 of SE1/4 Sec. 7, T7S, R3W	SW Corner Sec. 7	N63°E	3,450
R. Williams, et al. Stockpond	40	SW1/4 of SW1/4 Sec. 6, T7S, R3W	SW Corner Sec. 6	N52°E	1,850
Isenberg Pipeline	41	NW1/4 of SW1/4 Sec. 7, T7S, R3W	SW Corner Sec. 7	N30°E	1,850

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Blum Stockpond	43	NE1/4 of SE1/4 Sec. 12, T7S, R4W	SE Corner Sec. 12	N3°W	1,750
R. Williams, et al. Pipeline	44	SW1/4 of SW1/4 Sec. 6, T7S, R3W	SW Corner Sec. 6	N72°E	1,500
R. Williams, et al. Pump	45	SW1/4 of SW1/4 Sec. 6, T7S, R3W	SW Corner Sec. 6	N80°E	1,250
R. Williams, et al. Proposed Pump	46	SE1/4 of NE1/4 Sec. 12, T7S, R4W	NE Corner Sec. 12	S30°W	1,900
R. Williams, et al. Pump	47	SW1/4 of SW1/4 Sec. 6, T7S, R3W	SW Corner Sec. 6	N35°E	1,450
R. Williams, et al. Pipeline	48	NE1/4 of SE1/4 Sec. 1, T7S, R4W	SE Corner Sec. 1	N8°W	1,450
Demeter-Derry Pipeline	49	NE1/4 of NE1/4 Sec. 11, T7S, R4W	NE Corner Sec. 11	S65°W	750
Isenberg Stockpond	50	NW1/4 of SE1/4 Sec. 12, T7S, R4W	SE Corner Sec. 12	N28°W	2,600
Isenberg Stockpond	51	NW1/4 of SE1/4 Sec. 12, T7S, R4W	SE Corner Sec. 12	N37°W	2,900
Isenberg Spring	52	NE1/4 of SE1/4 Sec. 12, T7S, R4W	SE Corner Sec. 12	N28°W	2,570
Isenberg Domestic Spring	53	NW1/4 of SE1/4 Sec. 12, T7S, R4W	SE Corner Sec. 12	N39°W	3,000
Jaqua-Isenberg Stockpond	54	SW1/4 of SE1/4 and SE1/4 of SW Sec. 12, T7S, R4W	SW Corner Sec. 12	N75°E	2,600
Jaqua Pipeline	55	SE1/4 of SW1/4 Sec. 12, T7S, R4W	SW Corner Sec. 12	N60°E	1,580
Jaqua Reservoir	56	SW1/4 of SW1/4 Sec. 12, T7S, R4W	SW Corner Sec. 12	N41°E	1,600

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Folger Proposed Pump	57	SE1/4 of NE1/4 Sec. 11, T7S, R4W	NE Corner Sec. 11	S33°W	1,810
Folger Reservoir	58	SW1/4 of NW1/4 Sec. 12, T7S, R4W	NW Corner Sec. 12	S15°E	2,300
Folger Pipeline	59	NE1/4 of SE1/4 Sec. 11, T7S, R4W	NE Corner Sec. 11	S10°W	3,700
Waik Diversion	60	NW1/4 of SE1/4 Sec. 11, T7S, R4W	NE Corner Sec. 11	S43°W	3,830
Fox Pump	61	NE1/4 of SW1/4 Sec. 11, T7S, R4W	SW Corner Sec. 11	N45°E	4,000
Fox Well Pump	62	NE1/4 of SW1/4 Sec. 11, T7S, R4W	SW Corner Sec. 11	N45°E	4,000
Harris Pump	63	NE1/4 of SW1/4 Sec. 11, T7S, R4W	SE Corner Sec. 11	N54°W	3,510
Harris Well Pump	64	NE1/4 of SW1/4 Sec. 11, T7S, R4W	SE Corner Sec. 11	N54°W	3,510
Driscoll Pipeline	65	NE1/4 of SE1/4 Proj. Sec. 10, T7S, R4W	SE Corner Proj. Sec. 10	N12°W	2,000
Flores Pipeline	66	SW1/4 of SE1/4 Sec. 11, T7S, R4W	SW Corner Sec. 11	N85°E	2,770
Flores Portable Pump	67	NE1/4 of NW1/4 Sec. 14, T7S, R4W	NW Corner Sec. 14	S84°E	2,150
Driscoll Reservoir	68	NW1/4 of NW1/4 Sec. 14, T7S, R4W	NW Corner Sec. 14	S3°E	1,250
Cuesta la Honda Guild Pipeline	69	SW1/4 of NE1/4 Sec. 13, T7S, R4W	NE Corner Sec. 13	S50°W	3,450
Cuesta la Honda Guild Reservoir	70	SE1/4 of SW1/4 Sec. 13, T7S, R4W	SW Corner Sec. 13	N80°E	2,200

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LOCATION OF POINT OF DIVERSION			
		LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Cuesta La Honda Guild Pipeline	71	NW1/4 of SW1/4 Sec. 13, T7S, R4W	SW Corner Sec. 13	S6°E	2,100
Cuesta La Honda Guild Reservoir	72	SE1/4 of SE1/4 Sec. 14, T7S, R4W	SE Corner Sec. 14	N35°W	1,050
Cuesta La Honda Guild Reservoir	73	SE1/4 of SW1/4 Sec. 14, T7S, R4W	SW Corner Sec. 14	N75°E	1,800
San Mateo County Portable Pump	74	SW1/4 of SW1/4 Sec. 14, T7S, R4W	SW Corner Sec. 14	N42°E	1,500
San Mateo County Portable Pump	75	SE1/4 of NE1/4 Sec. 22, T7S, R4W	NE Corner Sec. 22	S3°W	2,200
Bulloch, George Pump	75A	SE1/4 of NE1/4 Sec. 22, T7S, R4W	NE Corner Sec. 22	S10°W	1,850
San Mateo County Proposed Pump	75B	SE1/4 of NE1/4 Sec. 22, T7S, R4W	NE Corner Sec. 22	S3°W	2,200
Pratt, Jr. Pipeline	76	SE1/4 of NW1/4 Sec. 29, T7S, R4W	NW Corner Sec. 29	S50°E	3,300
Pratt, Jr. Reservoir	77	SW1/4 of NW1/4 Sec. 29, T7S, R3W	NW Corner Sec. 29	S22°E	2,200
McConnell Spring	78	NE1/4 of SE1/4 Sec. 30, T7S, R5W	SE Corner Sec. 30	N5°W	1,900
McConnell Pump	79	SW1/4 of NE1/4 Sec. 30, T7S, R3W	NE Corner Sec. 30	S33°W	2,600
Johnson, et al. Pump	80	NE1/4 of SW1/4 Sec. 30, T7S, R3W	SW Corner Sec. 30	N60°E	3,000
Wallace Pump	81	NW1/4 of SW1/4 Sec. 30, T7S, R3W	NW Corner Sec. 30	S20°E	2,650
True-Kneudler Lake	82	SW1/4 of SW1/4 Sec. 19, T7S, R3W	SW Corner Sec. 19	North	1,250

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
San Mateo County Portable Pump	83	SE1/4 of NW1/4 Sec. 25, T7S, R4W	NW Corner Sec. 25	S48°E	2,050
Mehtala Pipeline	84	NE1/4 of NW1/4 Sec. 17, T7S, R3W	NW Corner Sec. 17	S51°E	2,140
Bergman Pipeline	86	NE1/4 of NW1/4 Sec. 17, T7S, R3W	NW Corner Sec. 17	S63°E	1,650
Connor Pipeline	87	SE1/4 of SE1/4 Sec. 7, T7N, R3W	SE Corner Sec. 7	N23°W	1,100
Clebsch Pipeline	88	SW1/4 of NE1/4 Sec. 18, T7S, R3W	NE Corner Sec. 18	S52°W	2,450
Clebsch Reservoir	89	SW1/4 of NE1/4 Sec. 18, T7S, R3W	NE Corner Sec. 18	S51°W	2,700
True Pipeline	90	NW1/4 of NE1/4 Sec. 19, T7S, R3W	NE Corner Sec. 19	S76°W	1,750
True-Mindego Lake	91	NW1/4 of NE1/4 Sec. 19, T7S, R3W	NE Corner Sec. 19	S83°W	2,650
Cuesta La Honda Gulld Pump	92	SE1/4 of SE1/4 Sec. 13, T7S, R4W	SE Corner Sec. 13	N61°W	1,250
City and County of San Francisco Pump	93	SE1/4 of SW1/4 Sec. 24, T7S, R4W	SW Corner Sec. 24	N66°E	2,880
City and County of San Francisco Reservoir	94	SW1/4 of SW1/4 Sec. 24, T7S, R4W	SW Corner Sec. 24	N30°E	1,050
San Mateo County Pump	96	NW1/4 of NE1/4 Sec. 26, T7S, R4W	NE Corner Sec. 26	S68°W	1,800

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Coggins, et al. Spring	97	NE 1/4 of NE 1/4 Sec. 23, T7S, R4W	NE Corner Sec. 23	S62°W	740
Coggins, et al. Pipeline	98	NE 1/4 of NE 1/4 Sec. 23, T7S, R4W	NE Corner Sec. 23	S78°W	1,030
Gottwald, Louis Pump	98A	NE 1/4 of SW 1/4 Sec. 23, T7S, R4W	SW Corner Sec. 23	N37°E	2,640
San Mateo County Pump	99	SW 1/4 of NW 1/4 Sec. 23, T7S, R4W	NW Corner Sec. 23	S4°E	2,320
Busenbark Pump	100	NW 1/4 of NE 1/4 Sec. 22, T7S, R4W	NE Corner Sec. 22	S66°W	2,800
Cavanuagh-Johnson Pump	100A	SW 1/4 of NE 1/4 Sec. 22, T7S, R4W	NE Corner Sec. 22	S55°W	2,310
Urgo Well	101	NE 1/4 of NW 1/4 Sec. 22, T7S, R4W	NW Corner Sec. 22	S74°E	2,800
Carr Pipeline	102	SE 1/4 of NW 1/4 Sec. 22, T7S, R4W	NW Corner Sec. 22	S46°E	2,940
T. Riels Pump	104	NW 1/4 of NW 1/4 Sec. 22, T7S, R4W	NW Corner Sec. 22	S80°E	1,160
Redwood Terrace Water Co. Well, & Pettichord, Ben	105	NW 1/4 of NW 1/4 Sec. 22, T7S, R4W	NW Corner Sec. 22	S57°E	750
Pettichord Pump	106	NW 1/4 of NW 1/4 Sec. 22, T7S, R4W	NW Corner Sec. 22	S72°E	600
Dyers Reservoir	107	NW 1/4 of SE 1/4 Sec. 27, T6S, R4W	SE Corner Sec. 27	N57°W	2,600
Dyers Reservoir	108	SW 1/4 of SE 1/4 Sec. 27, T6S, R4W	SE Corner Sec. 27	N61°W	1,850
Driscoll Reservoir	109	NE 1/4 of SW 1/4 Proj. Sec. 10, T7S, R4W	SW Corner Proj. Sec. 10	N40°E	3,150
Wool Stockpond	110	NW 1/4 of NE 1/4 Proj. Sec. 9, T7S, R4W	NW Corner Proj. Sec. 9	S75°E	2,450



SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Wool Stockpond	111	NE1/4 of NW1/4 Proj. Sec. 9, T7S, R4W	NW Corner Proj. Sec. 9	S61°E	2,400
Driscoll Pipeline	112	NW1/4 of NE1/4 Proj. Sec. 15, T7S, R4W	NE Corner Proj. Sec. 15	S82°W	2,500
Driscoll Reservoir	113	NE1/4 of NW1/4 Proj. Sec. 15, T7S, R4W	NW Corner Proj. Sec. 15	S65°E	2,400
Driscoll Pipeline	114	SW1/4 of NW1/4 Proj. Sec. 15, T7S, R4W	NW Corner Proj. Sec. 15	S11°E	2,650
Stebbins-Roussel Pipeline	115	NE1/4 of SW1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N54°W	3,850
Roussel Pump	116	SW1/4 of SE1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N49°W	2,050
Tichenor Diversion Site	117	SE1/4 of SE1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N57°W	1,300
Tichenor Pipeline	118	SE1/4 of SE1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N87°W	1,200
Stebbins Pump	119	SW1/4 of SE1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N62°W	1,720
Nokes Pump	120	SW1/4 of SE1/4 Proj. Sec. 16, T7S, R4W	SE Corner Proj. Sec. 16	N75°W	2,300
Franklin Pump	121	NE1/4 of NW1/4 Sec. 21, T7S, R4W	NE Corner Sec. 21	S86°W	2,850
Throckmorton Reservoir	122	NW1/4 of SW1/4 Sec. 22, T7S, R4W	SW Corner Sec. 22	N15°E	2,150
Throckmorton Pipeline	123	SE1/4 of NE1/4 Sec. 21, T7S, R4W	NE Corner Sec. 21	S26°W	2,900
Throckmorton Reservoir	124	SW1/4 of NE1/4 Sec. 21, T7S, R4W	NE Corner Sec. 21	S34°W	3,300

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Optimist Volunteers for Youth Inc. Pump	125	SW1/4 of NW1/4 Sec. 21, T7S, R4W	NW Corner Sec. 21	S3°E	1,800
Anderson Pipeline	126	SE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S3°W	1,500
Anderson Pipeline	127	NE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S13°W	1,110
Anderson Pump	128	SW1/4 of NW1/4 Sec. 21, T7S, R4W	NW Corner Sec. 21	S3°E	1,800
L. Jepsen Pump	129	SE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S8°W	2,000
Optimist Volunteers for Youth Inc. Spring	130	SE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S20°W	1,950
Riggles Pump	131	SE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S25°W	2,500
Riggles Pump	132	SE1/4 of NE1/4 Sec. 20, T7S, R4W	NE Corner Sec. 20	S28°W	2,550
Raynor Pump	133	SE1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S57°E	3,660
Russ Reservoir	133A	NE1/4 of SE1/4 Sec. 20, T7S, R4W	SE Corner Sec. 20	W33°N	2,500
Stafford Well	134	SE1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S61°E	3,040
Stafford Pump	135	SE1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S46°E	2,640
Jayne Well	136	SE1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S40°E	2,500

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Jayne Pump	137	SW1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S42°E	2,110
Andrade Pump	138	NW1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S44°E	1,950
Glass Pump	138A	NW1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S11°E	1,190
Weber Pipeline	139	NW1/4 of NE1/4 Sec. 33, T6S, R4W	NE Corner Sec. 33	S68°W	2,080
Eisenhut Pipeline	140	SW1/4 of NE1/4 Sec. 33, T6S, R4W	NE Corner Sec. 33	S50°W	2,880
Eisenhut Spring	140A	SE1/4 of NW1/4 Sec. 33, T6S, R4W	NW Corner Sec. 33	S40°E	1,700
Dorsey Pipeline	141	SW1/4 of NE1/4 Sec. 33, T6S, R4W	NE Corner Sec. 33	S50°W	2,880
Oaks Pipeline	143	SW1/4 of NW1/4 Sec. 33, T6S, R4W	NW Corner Sec. 33	S23°E	2,950
Oaks Reservoir	144	NW1/4 of SW1/4 Sec. 33, T6S, R4W	SW Corner Sec. 33	North	1,650
Roberts Reservoir	145	SW1/4 of SW1/4 Sec. 33, T6S, R4W	SW Corner Sec. 33	N32°E	1,250
Roberts Reservoir	146	SW1/4 of SW1/4 Sec. 33, T6S, R4W	SW Corner Sec. 33	N56°E	1,300
Roberts Reservoir	147	NE1/4 of NE1/4 Proj. Sec. 5, T7S, R4W	NE Corner Proj. Sec. 5	S54°W	475
Oaks Pipeline	148	NW1/4 of SE1/4 Sec. 33, T6S, R4W	SE Corner Sec. 33	N50°W	2,700
Roberts Pipeline	148A	NW1/4 of SE1/4 Sec. 33, T6S, R4W	SE Corner Sec. 33	N50°W	2,700

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M.	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Djerassi Reservoir (proposed)	151	NW1/4 of SE1/4 Sec. 33, T6S, R4W	SE Corner Sec. 33	N53°W	3,040
Djerassi Reservoir (proposed)	152	NE1/4 of SW1/4 Sec. 33, T6S, R4W	SW Corner Sec. 33	N60°E	2,920
Wool Reservoir	153	SE1/4 of NW1/4 Sec. 4, T7S, R4W	NW Corner Sec. 4	S50°E	2,200
Wool Reservoir	154	SE1/4 of NW1/4 Sec. 4, T7S, R4W	NW Corner Sec. 4	S45°E	3,350
Seielstad Reservoir	155	NE1/4 of NE1/4 Proj. Sec. 5, T6S, R4W	NE Corner Sec. 5	S47°W	1,250
Wool Stockpond	156	SW1/4 of SW1/4 Sec. 4, T7S, R4W	SW Corner Sec. 4	N46°E	1,550
Wool Stockpond	157	SE1/4 of SW1/4 Sec. 4, T7S, R4W	SW Corner Sec. 4	N63°E	1,750
Miller Stockpond	158	SW1/4 of SW1/4 Proj. Sec. 5, T7S, R4W	SW Corner Proj. Sec. 5	N50°E	1,400
Folger Stockpond	159	NW1/4 of SW1/4 Proj. Sec. 9, T7S, T4W	SW Corner Proj. Sec. 9	N16°E	2,150
Folger Stockpond	160	SW1/4 of NW1/4 Proj. Sec. 16, T7S, R4W	SW Corner Proj. Sec. 16	N5°E	3,030
Regan Pump	161	NW1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S68°E	450
Andrade Pipeline	162	NE1/4 of NE1/4 Sec. 19, T7S, R4W	NE Corner Sec. 19	S4°W	960
Andrade Pump	163	NW1/4 of NW1/4 Sec. 20, T7S, R4W	NW Corner Sec. 20	S42°E	200
Rials Pump	164	NE1/4 of NE1/4 Proj. Sec. 19, T7S, R4W	NE Corner Proj. Sec. 19	S45°W	100

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Rials Pump	165	NW1/4 of NE1/4 Proj. Sec. 19, T7S, R4W	NE Corner Proj. Sec. 19	West	600
Gould Pump	165A	SW1/4 of SE1/4 Proj. Sec. 18, T7S, R4W	SE Corner Proj. Sec. 18	N49°W	800
Carnavale Pump	166	SW1/4 of SE1/4 Proj. Sec. 18, T7S, R4W	SE Corner Proj. Sec. 18	N55°W	950
Butler Pump	167	SE1/4 of SE1/4 Proj. Sec. 13, T7S, R4W	SE Corner Proj. Sec. 13	N28°W	300
Semisch Pump	168	SE1/4 of SE1/4 Proj. Sec. 18, T7S, R4W	SE Corner Proj. Sec. 18	N32°W	400
Young Pipeline	169	NW1/4 of NW1/4 Sec. 20, T6S, R4W	NW Corner Sec. 20	S75°E	730
Djerassi Springs Pipeline	170	S1/2 of SE1/4 Proj. Sec. 29, T6S, R4W	SE Corner Proj. Sec. 29	N59°W N66°W N72°W N72°W	1,700 1,550 1,350 1,100
Djerassi Reservoir	171	SW1/4 of SE1/4 Proj. Sec. 29, T6S, R4W	SE Corner Proj. Sec 29	N80°W	1,700
Young Pipeline	172	NW1/4 of NW1/4 Proj. Sec. 32, T6S, R4W	NW Corner Proj. Sec. 32	S40°W	480
Young Pipeline	173	NE1/4 of NW1/4 Proj. Sec. 31, T6S, R4W	SE Corner Proj. Sec. 32	N55°W	8,250
Young Stockpond	174	SW1/4 of NW1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N48°W	5,850
Young Pipeline	175	NE1/4 of NE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N18°W	4,250

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Young Pipeline	176	SE1/4 of NE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N13°W	3,950
Young Pipeline	177	SE1/4 of NE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N10°W	3,300
Young Reservoir	178	SE1/4 of NE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N22°W	3,800
Young Stockpond	179	NE1/4 of SE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N2°W	2,500
Young Pipeline	180	SE1/4 of NE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N15°W	2,800
Young Reservoir	181	NE1/4 of SE1/4 Proj. Sec. 32, T6S, R4W	SE Corner Proj. Sec. 32	N25°W	2,800
Young Reservoir	182	NE1/4 of SE1/4 Proj. Sec. 36, T6S, R4W	SE Corner Proj. Sec. 36	N10°W	1,500
Young Pipeline	183	SE1/4 of SE1/4 Proj. Sec. 36, T6S, R4W	SE Corner Proj. Sec. 36	N22°W	1,050
Gough Pump	184	SE1/4 of SE1/4 Proj. Sec. 31, T6S, R4W	SE Corner Proj. Sec. 31	N28°W	250
Messersmith Pump	185	NE1/4 of NE1/4 Proj. Sec. 6, T7S, R4W	NE Corner Proj. Sec. 6	S40°W	750
Bright Well	186	NE1/4 of NE1/4 Proj. Sec. 6, T6S, R4W	NE Corner Proj. Sec. 6	S38°W	990
Reid Pump	187	SE1/4 of NE1/4 Proj. Sec. 6, T7S, R4W	NE Corner Proj. Sec. 6	S22°W	1,800
Belton Pump	188	NW1/4 of SE1/4 Proj. Sec. 6, T7S, R4W	NE Corner Proj. Sec. 6	S16°W	2,950

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
San Mateo County Diversion Site	189	NW1/4 of SE1/4 Proj. Sec. 6, T7S, R4W	SE Corner Proj. Sec. 6	N18°W	2,380
Neuman Pump	190	NW1/4 of SE1/4 Proj. Sec. 6, T7S, R4W	SE Corner Proj. Sec. 6	N20°W	2,350
Miller Pump	191	SW1/4 of SW1/4 Proj. Sec. 5, T7S, R4W	SW Corner Proj. Sec. 5	N37°E	1,100
Miller Pipeline	192	SW1/4 of SW1/4 Proj. Sec. 5, T7S, R4W	SW Corner Proj. Sec. 5	N45°E	1,200
Miller Pipeline	193	SW1/4 of SW1/4 Proj. Sec. 5, T7S, R4W	SW Corner Proj. Sec. 5	N20°E	700
Miller Pipeline	194	SE1/4 of SE1/4 Proj. Sec. 6, T7S, R4W	SE Corner Proj. Sec. 6	N26°W	1,320
Miller Pump	195	NE1/4 of SW1/4 Proj. Sec. 6, T7S, R4W	SE Corner Proj. Sec. 6	N33°W	2,050
Souza Pump	196	SE1/4 of NW1/4 Proj. Sec. 18, T7S, R4W	NE Corner Proj. Sec. 18	S32°W	1,950
Souza Pump	197	SE1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N33°W	820
McGhee Pump	198	SE1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N35°W	1,100
McGhee Pump	199	SE1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N35°W	1,100
Starha-Van Giesen Pump	200	NE1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	S18°W	1,650
Zalewski Pump	201	NW1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N43°W	2,050

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Mello Pump	202	SW1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N49°W	1,900
Zalewski Pump	203	SW1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N57°W	2,050
Klingman-Moty Pump	204	NW1/4 of SE1/4 Proj. Sec. 13, T7S, R5W	SE Corner Proj. Sec. 13	N47°W	2,900
Klingman-Moty Pipeline	205	NE1/4 of SW1/4 Proj. Sec. 13, T7S, R5W	SW Corner Proj. Sec. 13	N37°E	2,300
Klingman-Moty Pump	206	SW1/4 of NW1/4 Proj. Sec. 13, T7S, R5W	NW Corner Proj. Sec. 13	S10°E	2,350
Bernardo Spring #1	206A	SW1/4 of SW1/4 Sec. 12, T7S, R5W	SW Corner Proj. Sec. 12	N52°30'E	1,675
Bernardo Spring #2	206B	NE1/4 of SW1/4 Sec. 12, T7S, R5W	SW Corner Proj. Sec. 12	N55°30'E	3,220
Crane Pump	207	SE1/4 of NE1/4 Proj. Sec. 14, T7S, R4W	NE Corner Proj. Sec. 14	S11°W	2,000
Modena Pump	208	SE1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	NE Corner Proj. Sec. 14	S27°W	2,000
Maita Pipeline	209	NE1/4 of SE1/4 Proj. Sec. 14, T7S, R5W	SE Corner Proj. Sec. 14	N26°W	2,750
Modena Pump	211	SW1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	SE Corner Proj. Sec. 14	N25°W	3,800
Beck Pump	212	SW1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	NE Corner Proj. Sec. 14	S48°W	2,400



SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		DISTANCE FROM REFERENCE CORNER IN FEET
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	
Beck Pump	213	SW1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	NE Corner Proj. Sec. 14	S48°W	2,400
Repetto Pump	214	SW1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	NE Corner Proj. Sec. 14	S45°W	2,800
Repetto Reservoir	215	SW1/4 of NE1/4 Proj. Sec. 14, T7S, R5W	NE Corner Proj. Sec. 14	S62°W	2,700
Foti Pump	215A	NE1/4 of NW1/4 Proj. Sec. 14, T7S, R5W	NW Corner Proj. Sec. 14	S73°E	2,310
Consolidated Farms Inc. Pipeline	216	NW1/4 of NW1/4 Proj. Sec. 1, T7S, R5W	NW Corner Proj. Sec. 1	S59°E	1,000
Consolidated Farms Inc. Spring	217	NW1/4 of NW1/4 Proj. Sec. 12, T7S, R5W	NW Corner Proj. Sec. 12	S60°E	1,850
Consolidated Farms Inc. Stockpond	218	NE1/4 of SW1/4 Proj. Sec. 2, T7S, R5W	SW Corner Proj. Sec. 2	N44°E	2,600
Consolidated Farms Inc. Stockpond	218A	SE1/4 of SE1/4 Proj. Sec. 1, T7S, R5W	SE Corner Proj. Sec. 2	N75°W	1,150
Consolidated Farms Inc. Stockpond	219	SE1/4 of NE1/4 Proj. Sec. 11, T7S, R5W	SE Corner Proj. Sec. 11	N18°W	3,700
Consolidated Farms Inc. Stockpond	219A	SE1/4 of SW1/4 Proj. Sec. 11, T7S, R5W	SE Corner Proj. Sec. 11	N85.5°W	3,700
Consolidated Farms Inc. Stockpond	219B	SW1/4 of SE1/4 Proj. Sec. 11, T7S, R5W	SE Corner Proj. Sec. 11	N75°W	2,200

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	LOCATION OF POINT OF DIVERSION		
			REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Consolidated Farms Inc. Stockpond	219C	NW1/4 of SE1/4 Proj. Sec. 11, T7S, R5W	SE Corner Proj. Sec. 11	N62°W	3,150
First American Title Insurance Company	219D	NE1/4 of NW1/4 Sec. 14, T7S, R5W	NW Corner Proj. Sec. 14	S30°E	1,650
Consolidated Farms Inc. Pipeline	220	NW1/4 of SE1/4 Proj. Sec. 11, T7S, R5W	NE Corner Proj. Sec. 11	S24°W	3,300
Marchi and Son Pump	221	NW1/4 of NW1/4 Proj. Sec. 14, T7S, R5W	NW Corner Proj. Sec. 14	S40°E	1,300
Consolidated Farms Inc. Pipeline	222	SW1/4 of SW1/4 Proj. Sec. 2, T7S, R5W	SW Corner Proj. Sec. 2	N84°W	1,800
Consolidated Farms Inc. Stockpond	223	NW1/4 of NW1/4 Proj. Sec. 11, T7S, R5W	SW Corner Proj. Sec. 11	N47.5°W	5,950
Muzzi-Campinotti Reservoir	224	SW1/4 of SE1/4 Proj. Sec. 10, T7S, R5W	SW Corner Proj. Sec. 10	N89°W	1,380
Muzzi-Campinotti Pump	225	NE1/4 of NE1/4 Proj. Sec. 15, T7S, R5W	NE Corner Proj. Sec. 15	S66°W	1,280
Marchi and Son Pump (Proposed)	226	NE1/4 of SE1/4 Proj. Sec. 15, T7S, R5W	NE Corner Proj. Sec. 15	S21°W	3,170
Bell Pump	227	SE1/4 of NW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	S47°E	2,550
Armstrong Pump	228	SE1/4 of NW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	S47°E	2,550
Blomquist Pump	229	SE1/4 of NW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	S43°E	2,360

SCHEDULE 2  
(continued)

LOCATION OF POINTS OF DIVERSION OF WATER  
FROM THE SAN GREGORIO CREEK STREAM SYSTEM

NAME OF DIVERSION SYSTEM	DIVERSION NO. ON SWRCB MAP	LOCATION OF POINT OF DIVERSION			
		LEGAL SUBDIVISION IN WHICH DIVERSION OCCURS MDB&M	REFERENCE CORNER FOR DISTANCE AND BEARING MDB&M	BEARING FROM REFERENCE CORNER	DISTANCE FROM REFERENCE CORNER IN FEET
Peterson- Bertolotti Pump	230	SW1/4 of NW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	N36°E	2,500
D. Jepsen Pump	231	SW1/4 of NW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	S32°E	2,350
Pollock Pump	232	NW1/4 of SW1/4 Proj. Sec. 15, T7S, R5W	NW Corner Proj. Sec. 15	S15°E	2,700
Pollock Pump	233	SE1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S22°W	2,650
Bridge Pump	234	SE1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S22°W	2,650
Calif. Dept. of Parks & Recreation Pump	235	SE1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S25°W	2,900
Bridge Reservoir	236	NE1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S30°W	1,320
Bridge Reservoir	237	NE1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S75°W	1,250
Bridge Reservoir	238	NW1/4 of NE1/4 Proj. Sec. 16, T7S, R5W	NE Corner Proj. Sec. 16	S60°W	2,300
Pollock Reservoir	239	NW1/4 of SW1/4 Proj. Sec. 15, T7S, R5W	SW Corner Proj. Sec. 15	N30°E	1,800
Pollock Reservoir	240	SE1/4 of SE1/4 Proj. Sec. 16, T7S, R5W	SE Corner Proj. Sec. 16	N78°W	1,000
Pollock Reservoir	241	NW1/4 of NE1/4 Proj. Sec. 21, T7S, R5W	NE Corner Proj. Sec. 21	S80°W	1,150

SCHEDULE 3

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
LA HONDA CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Paulin, Joan M. & Keller, Meredyth, et al.	1	D		0.5	
Collett, Kenneth J.	4	D		0.5	
Collett, Kenneth J.	5	I S	0.25		0.9 0.03
Goldthwaite, Robert & Clement, Charles E.	6	D I	0.50	2.0	1.8 <sup>1/2</sup>
Stoner, N. A., Trustee & Guerrero, John F., et al.	7	D		0.5	
La Honda Vista Water Co. No. 1	8,9	D		7.0	
Winkle, Roger A. and Linda F.	10	D		0.5	
Williams, Rhona & National Audubon Society	12	D		0.5	
Crow, Lynn	11	D		0.5	
Weber, Jaroy	13	D		0.5	
Fischman, Stanley E. and Linda	15	D I	2	4.8	7.5
McDonald, Edith C.	17 <sup>2/</sup>	S			5.25
McClelland, John W.	18	D I		0.5 <sup>3/</sup>	3.7
Glass, William and Nancy E.	19	D,S		0.5	1.4
Berry, Kenneth E. & Carr-Hartman, Wendy	20	D		0.5	

1. To be shared equally between Goldthwaite and Clement.
2. At Division 17 and 18 other developed springs on the McDonald Property as well as La Honda Creek, Weeks Creek and Harrington Creek.
3. McClellan has a right to divert water from Diversion 18 only when a continuity of flow to La Honda Creek exists.

SCHEDULE 3  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
LA HONDA CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Williams, Rhona & National Audubon Society	22	D,S		0.5	1.7 <sup>4/</sup>
Williams, Curt	25	D		0.5	
Pearson, Chris, Carl E. and Helen J.	26	S			0.75 <sup>5/</sup>
Williams, Curt	27	S			0.6
Pearson, Chris, Carl E. and Helen J.	28	I	4		14.9
Pearson, Chris, Carl E. and Helen J.	29	D S		0.5	0.75 <sup>5/</sup>
Pearson, Chris, Carl E. and Helen J.	30	S			0.75 <sup>5/</sup>
Lindley, John P. and Lois F.	29	D		0.5	
Fowers, David C. & Fusano, I.	31	I	1.25		4.67
Schroyer, Jerry	32	D I	0.13	1.0	0.5
Silva, Paul V. and Mary J.	33	D I	0.16	0.5	0.6
Bradley, J. Paul and Jean E.	33A	D		1.0	
Carter, Howard T. and Grace M.	34	D		0.5 <sup>6/</sup>	
Driscoll, Rudolph W.	36	D		0.5	

4. Not more than 500 gallons per day for domestic and 1,700 gpd for stockwatering shall be diverted from Diversions 22, 44, 45, 47 and 48.
5. Not more than 750 gallons per day shall be diverted from Diversions 26, 29 and 30 for stockwatering use.
6. Allotment based on Pre-1914 right.

SCHEDULE 3  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
LA HONDA CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION		AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
	NO. ON SWRCB MAP	USE		FIRST PRIORITY	SECOND PRIORITY
Aitken, Donald W., Jr. and Elizabeth J.	37	D		0.5	
Dempsey, Michael and Patrick	39	Ind			4.0 <sup>7/</sup>
Isenberg, Gerda	41	S			0.5
Williams, Rhona & National Audubon Society	44,45,	D		0.5	
	47,48	S			1.7 <sup>4/</sup>
		I	6		22.3
Demeter, Michael J. & Derry, James, et al.	49	S			8 /
Isenberg, Gerda	52	I	2 <sup>9/</sup>		7.5
Isenberg, Gerda	53	D		0.5	
		I	0.5		1.8
Jaqua, A. R.	55	D		0.5	
		I	0.5		1.8
Waik, Walter A.	60	D		0.5	
		I	0.25		0.9
Fox, Richard K.	61,62	D		0.5	
		I	0.5		1.8
Harris, Robert E. and Barnette	63,64	D		0.5	
		I	0.1		0.3
Driscoll, Rudolph W.	65	D		0.5	
		I	0.5		1.8

7. Third priority.

8. Full flow of spring and overflow from P. Silvas tank.

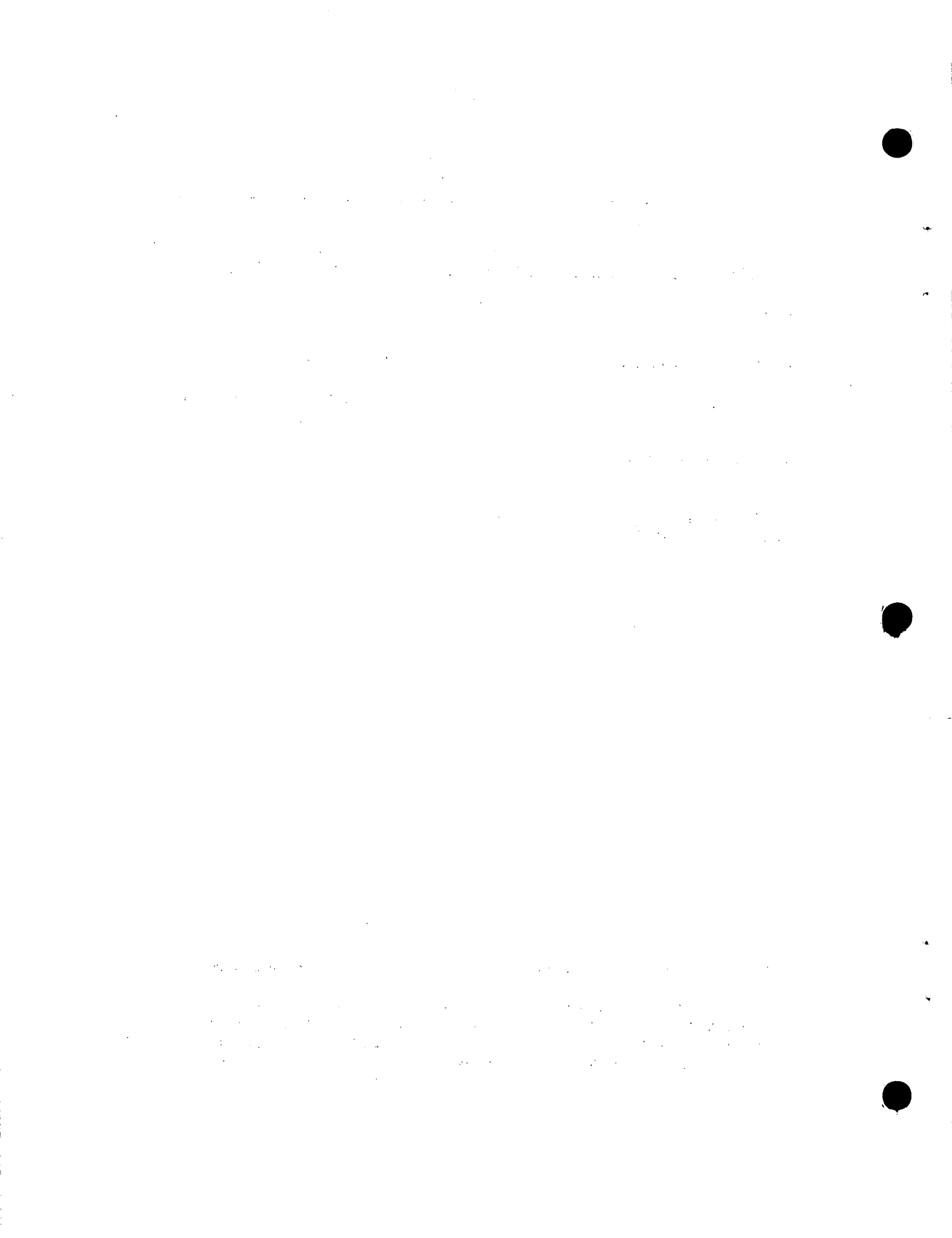
9. Three greenhouses and an orchard.

SCHEDULE 3  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
LA HONDA CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Flores, Roger A. and Carol E.	66,67	D I	1	0.5	3.7
Reynolds, Norman Thomas		S	See Paragraph 18		
San Mateo County	74,75	Ind	-- 240,000 gallons per year, Third Priority <sup>10/</sup>		
Bulloch, George and Judy	75A	D I	0.17	0.5	0.6
San Mateo County Service Area No. <u>7<sup>11/</sup></u>	75B	D		8.9	

10. Total allotment from Diversions 74, 75, 83 and 189 shall not exceed 240,000 gallons per year.
11. Based on the riparian rights of the lots described by assessors parcel numbers 83-170-05, 83-170-06, 83-170-08, 83-170-09, 83-170-10, 83-170-11, 83-170-12, 83-180-04, and 83-180-05. La Honda Park (83-180-04) is allotted 4,900 gpd for domestic use (220 gpd per trailer, 500 gpd for the house). The remaining eight parcels are each allotted 500 gpd for domestic use.





SCHEDULE 4

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
ALPINE CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Pratt, Melvin E., Jr.	76	D I	5	0.5	18.0
McConnell, Harden M. and Sophia G.	78,79	D I S	5	0.5	18.0 0.04
Johnson, Alan and Maripat	80	D		0.5	
Johnson, Lorenz F. and Shirley R.	80	D		0.7	
Wallace, Robert A.	81	D I	5	0.5	18.6
True, Corinne	82	S	Paragraph 18		
San Mateo County	83	Ind.	-- 240,000 gallons/year, Third Priority <sup>1/</sup>		
Mehtala, Jack and Maureen	84	D I	1	0.5	3.7
Connor, William	87	D S	Paragraph 18	0.5	
Clebsch, William A. and Betsy B.	88	D I	0.06	0.5	0.3
True, Corinne	90	D S I	2.25	2.0	1.5 8.4
True, Corinne	91	S	Paragraph 18		
City and County of San Francisco Hidden Valley Ranch	93	D I		5.3	10.0
Sam McDonald park	96,99	D			3.4
San Mateo County Glenwood Boys Ranch	96,99	D		4.0	

1. Total allotment from Diversions 74, 75, 83 and 189 shall not exceed 240,000 gallons per year.

SCHEDULE 4  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
ALPINE CREEK AND TRIBUTARIES

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
San Mateo County Service Area No. 7	96,99	D		12.0	<u>2/</u>
Barnard, Dorothy D.		D		0.1	
Coggins, et al.	97,98	D S I	1	0.5	0.8 3.7
Gottwald, Louis K.	98A	D		0.5	
Davidson, F.M.	96,99	D		0.5	<u>2/</u>
Gassion, Lucille & Peters, Bernice	96,99	D		0.5	<u>2/</u>
Eberwein, Russell W.	96,99	D		0.5	<u>2/</u>
Leis, Nancy	96,99	D		0.5	<u>2/</u>
Irhazy, Daniel R.	96,99	D		1.0	<u>2/</u>
Kirkpatrick, Sandra & Rogers, C. Howard	96,99	D		0.5	<u>2/</u>
McMillan, W. Bruce and Evelyn	96,99	D I	1	0.5	3.7 <sup>2/</sup>
Pinard, Douglas F., et al.	96,99	D I	0.5	0.5	1.8 <sup>2/</sup>
Solem, Lynn R.	96,99	D I	0.02	0.5	0.09 <sup>2/</sup>
San Mateo County Ranger Station	96,99	D		0.5	<u>2/</u>
Yocum, Cyrus K. and Carol R.	96,99	D		0.5	<u>2/</u>
Thompson, Kristen and Eric	96,99	D		0.5	<u>2/</u>

2. Based on the riparian rights of the lots described by assessors parcel numbers 83-190-13, 83-190-34, 83-190-36, 83-190-37, 83-190-46, 83-220-05, 83-220-06, 83-231-02, 83-231-03, 83-231-12, 83-231-13, 83-240-02, 83-240-04, 83-240-07, 83-240-09, 83-240-10, 83-240-11, 83-250-04, 83-250-09, 83-250-10, and 83-250-12. Each parcel is allotted 500 gpd for domestic use. Additional allotments for irrigation use are as shown in Schedule 4.

SCHEDULE 5

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
San Mateo County Service Area No. <u>7<sup>1</sup></u>	75B,96,99	D		1.5	
Busenbark, Mary E., Susan A. and Loriel	100	D	0.5	0.5	3.0
		I			1.8
Cavanaugh, Peggy & Johnson, Patricia Cavanaugh	100A	D	2	0.1	
		I			7.5
Urigo, Michael	101	D	2	0.5	
		I			1.0
		I			0.1
Carr, John F., et al.	102	D	3	1.0	
		I			11.2
Rials, Thomas E.	104	D	0.2	0.5	
		I			0.5
Redwood Terrace Water System	105	D		13.0 <sup>2/</sup>	
Pettichord, Ben R.	105	D <sup>2/</sup>		0.5	
Pettichord, Ben R	106	FC			1.0
Driscoll, Rudolph W.	112	D	10	0.5	
		S			6.0 <sup>3/</sup>
		I			37.4
Driscoll, Rudolph W.	114	D	1.0	0.5	4.0
		S			6.0 <sup>3/</sup>
		I			3.7
Stebbins, Robert	115	D		0.5	1.6
	119	I	3.0		11.2

1. Based on the riparian rights of the lots described by assessors parcel numbers 83-204-02, 83-204-03, and 83-204-06. Each parcel is allotted 500 gpd for domestic use.
2. Domestic supply is furnished to Pettichord by way of the Redwood Terrace Water System.
3. Total amount diverted for stockwatering by Rudolph W. Driscoll from all diversion points shall not exceed 6,000 gallons per day.

SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Roussel, Oliver	115,116	D I	0.38	0.5 <sup>4/</sup>	1.4
Tichenor Ranch	118	D S		0.5	0.4
Tichenor Ranch	117	S	See Paragraph 18		
Nokes, George S. and June	120	I	0.1		0.4
Franklin, Jon R. and Joanne	121	D		0.5	
Throckmorton, John C.	123	D I S	21	0.5	78.3 0.5
Optimist Volunteers for Youth, Inc.	125	I	1.5		5.6
Anderson, Raymond E.	126	D		0.5	
Anderson, Raymond E.	128	I S	3.8		14.2 0.1
Jepsen, Luke	129	I	2		7.5
Riggles, Orville H.	131,132	S I	2.25		0.1 8.5
Raynor, Charles W.	133	D S I	10	0.5	0.1 37.4
Stafford, Tom	134	I	12		44.7
Stafford, Tom	135	D		0.5	

4. Roussel has a right to divert 500 gallons per day from Diversion 115 only when continuity of flows with Harrington Creek exist.

SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Jayne, William and Joan	136	S			0.1
	137	I	4		14.9
Andrade, Antone V. and John R.	138	I	5		18.6
Glass, Nancy E., Michael and Sharon	138A	I	6		22.4
		S		Paragraph 18	
Weber, Jaroy	139	D		0.5	
		S			0.6
		I	1		3.73
Eisenhut, Wolfgang O. and Ursula	140	S			0.2
	140A	S			0.1
Dorsey, David J. and Susan M.	141, 140A	D		1.0	
		S			0.2
		I	0.17		0.6
Oaks, Norman E. and Beverly M.	143	D, I	8	1.0	31.8 <sup>5/</sup>
		S			0.2
Roberts, Elliot	145, 146, 147, 148A	D		1.0	
		S			0.9
		I	8		29.9
Regan, John W. and Dorothy	161	D		0.5	
		S			0.2
		I	10		37.3
Andrade, Antone V. and John R.	162	D		1.0	6/
		S			0.5
Andrade, Antone V. and John R.	163	D		1.0	6/
		S			0.5
		I	7		26.1

5. Total amount diverted for all purposes from diversion point 143 and under Permits 19586 and 19587 from point 148 shall not exceed 33,000 gpd or 22.1 afa.

6. Total allotment from Diversions 162 and 163 shall not exceed 1,000 gallons per day for domestic use and 500 gallons per day for stockwatering.

SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Rials, Edward	164	I	1		3.7
Rials, Edward	165	I	3		11.2
Gould, Dennis R. and Betty L.	165A	D I	0.33	0.5	1.2
Carnevale, Jo Ann	166	D S		0.5	0.05
Butler, Gary and Sherry	167	D S		0.5	0.1
Semisch, L. W.	168	D I	0.53	0.5	2.0
Young, Neil, et al.	169	D I S	72	2.0	269.0 3.0 <sup>7/</sup>
Djerassi, Carl (as Trustee of Various Trusts)	170, 171	D		0.5	
Young, Neil, et al.	172, 173 182 175, 176, 177 180 183	D I I S D S	6 50	2.5 1.0	22.4 186.8 3.0 <sup>7/</sup> 3.0 <sup>7/</sup>
Gough, Irene, et al.	184	D I	48	1.0	179.1
Messersmith, Army	185	D I	0.05	0.5	0.2
Bright, R. D.	186	D		0.1	

7. Total allotment from Diversion 169, 177, and 183 shall not exceed 3,000 gallons per day for stockwatering.

SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Reid, Peter H. and Barbara W.	187	D I	90	0.5	336.2
Belton, Arthur J., et al.	188	D		0.1	
San Mateo County	189	Ind	-- 240,000 gpy, Third Priority <sup>8/</sup>		
Neuman, Grover B.	190	D		0.5	
Miller, Richard K.	191, 192 193 & 194	D		0.5	
Souza, Manuel V., Jr., et al.	196	D I S	0.75	0.5	2.8
				Paragraph 18	
Souza, Manuel V., Jr., et al.	197	I	2.5		9.3
McGhee, John M. and Rosemary	198, 199	D I	8	0.5	0.1 29.9
Starlha, David J. and Marina J. & Van Geisen, Nicolaas	200	I	5		18.6
Zalewski, Thomas B.	201, 203	S I	3		0.1 11.2
Mello, Melvin A. Sr.	202	I	5		18.6
Klingman, Edwin E. & Moty, Karen T.	204, 206	D		1.0	
Bernardo, Esther S.	206A, 206B	D S		0.5	0.75

8. Total allotment from Diversion Points 74, 75, 83 and 189 shall not exceed 240,000 gallons per year.

SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Klingman, Edwin E. & Moty, Karen T.	205	D		1.0	
Crane, Phillip C.	207	D S I	1	0.5	0.25 3.73
Modena, Raymond and Jeanette	208	D S I	0.13	0.5	0.25 0.47
Maita, Phil	209	D		0.5	
Modena, Raymond and Jeanette & Modena, James and Jacqueline	211	I	11.0		41.1
Modena, James and Jacqueline	211	D S I	0.38	0.5	0.1 1.4
Beck, Ronald E. and Geraldine A.	212	D I	0.65	0.5	2.4
Beck, Ronald E. and Geraldine A.	213	I	2.35		8.8
Repetto, August J. and Doris A.	214	I	28		104.4
Foti, Frank	215A	D I	1.5	0.5	5.6
Consolidated Farms, Inc.	216,217 220	S			4.5
Marchi, Peter & Sons, Inc.	221,226	I	90		336.2
First American Title Insurance Company	225 219D	I S	37		138.2 0.6
Muzzi, Nicola D. and Liana M. & Compinotti, Edward and Dianne M.	225	I	64.5		240.6

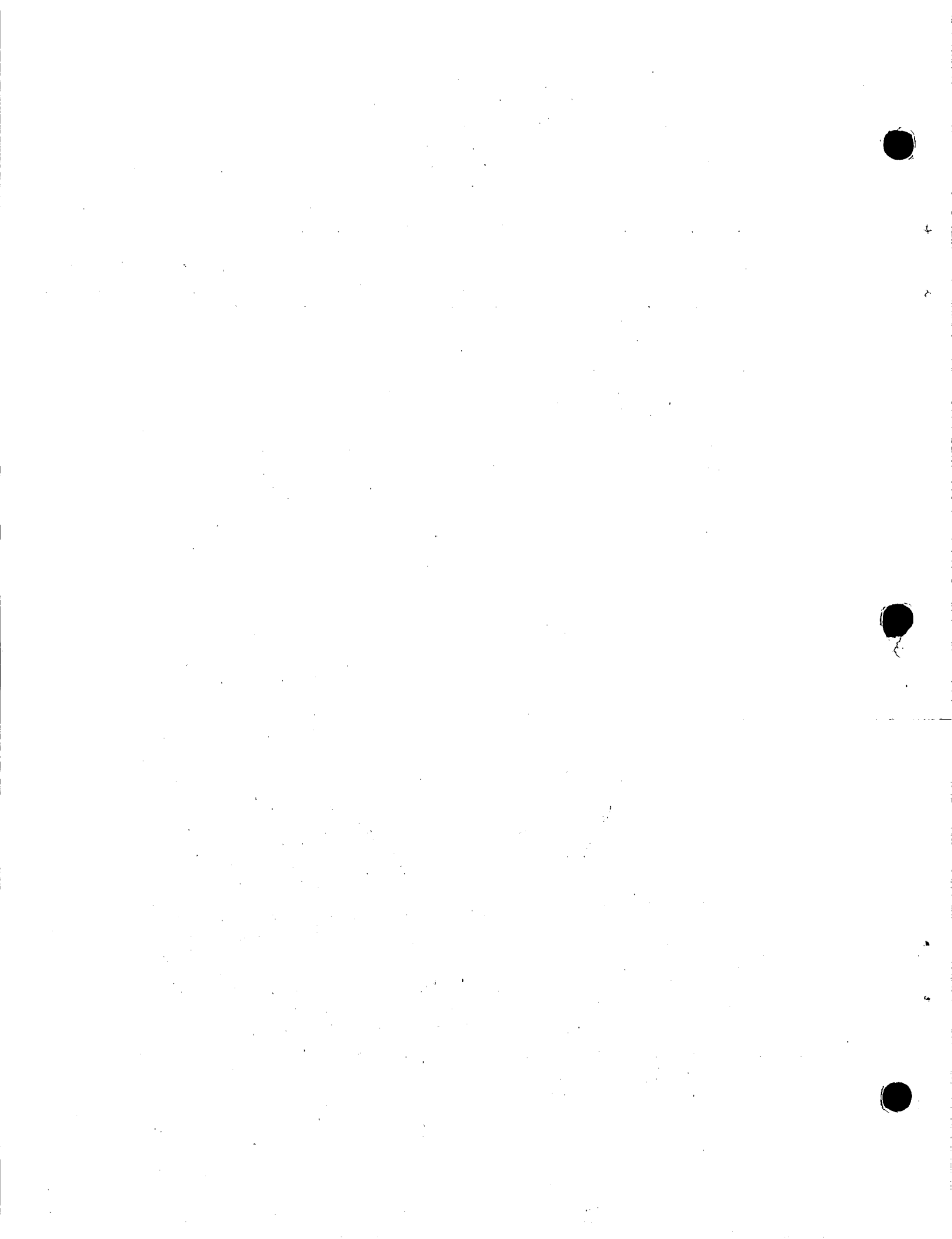


SCHEDULE 5  
(continued)

ALLOTMENTS TO VARIOUS CLAIMANTS  
FROM  
SAN GREGORIO CREEK AND TRIBUTARIES  
BELOW  
ALPINE AND LA HONDA CREEKS

NAME OF CLAIMANT	DIVERSION NO. ON SWRCB MAP	USE	AREA SERVED IN ACRES	ALLOTMENTS IN 1,000 GALLONS PER DAY	
				FIRST PRIORITY	SECOND PRIORITY
Bell, Frank P. and Mildred B.	227	I	2		7.46
Blomquist, Robert L.	229	I	5		18.6
Peterson, Pete & Bortolotti, Janice	230	D		0.5	
Jepsen, Donald E. and Kristie L.	231	D I	0.25	0.5	0.93
Pollock, Corinne and C. P.	232,233	D I	27	1.0	100.9
Bridge, Walter W.	234	D S I	70	0.5	0.7 262.0
California Department of Parks and Recreation	235	I	12		44.8
Bridge, Walter W.	236	I,S	70	11.5af <sup>9/</sup>	

9. Appropriation initiated prior to December 19, 1914 for 11.5 acre-feet. The remainder of the capacity of the reservoir was developed since December 19, 1914. The owner should file an application to appropriate the additional amount.



SCHEDULE 6

VARIOUS CLAIMANTS HOLDING POST-1914 APPROPRIATIVE WATER RIGHTS\*

APPLICATION	LICENSE	OWNER	USE	AMOUNT	SEASON
5720	L 912	Norman A. Stoner, Trustee	D,FP	4,000 gpd	Jan. 1 - Dec. 31
5907	L 3904	La Honda Vista Water Co. No. 1	D	7,000 gpd	Jan. 1 - Dec. 31
6154	L 2309	Neil Young	D,I,S	0.195 cfs	Jan. 1 - Dec. 31
6155	L 2310	Carl Djerassi	D,I,S	0.05 cfs	Jan. 1 - Dec. 31
6497	L 1816	Richard K. Miller	D,I	4,750 gpd	Jan. 1 - Dec. 31
6498	L 1817	Richard K. Miller	R	0.08 cfs	Jan. 1 - Dec. 31
9678	L 5497	Sky Honda Mutual Water Company	D,FP	0.085 cfs	Dec. 15 - Mar. 15
18161	L 6606	Sky Honda Mutual Water Company	D,FP	20 afa	Mar. 1 - June 1
19016	L 7438	Rudolph W. Driscoll	D,S	2,500 gpd	Jan. 1 - Dec. 31
20266	L 10702	Peter and Peter M. Folger	R,S	4.6 afa	Nov. 1 - June 1
21407	L 10757	John C. Throckmorton	FP,R,S	13.6 afa	Oct. 1 - May 31
22782	L 10511	Cuesta La Honda Guild	D,FP,R	15.4 afa 0.069 cfs	Oct. 1 - June 1
23729	P 16454	Sky Honda Mutual Water Company	D,FP	49 afa	Dec. 15 - June 1
23965	P 18010	William H. Dempsey	D,FP,J,R	12 afa	Nov. 1 - June 1
24121	P 16735	Rudolph W. Driscoll	D,I,R,S	49 afa	Nov. 1 - June 1
24122	P 16736	Rudolph W. Driscoll	R,S	25 afa	Nov. 1 - June 1
24123	P 16737	Rudolph W. Driscoll	D,I,R,S	30 afa	Nov. 1 - June 1
24240	P 17511	Cuesta La Honda Guild	D,FP,R	30 afa	Jan. 1 - Dec. 31
25877	L 12191	August J. and Doris A. Repetto	FP,I,R	14.9 afa	Dec. 1 - May 1
26125	P 18345	Nicola D. Muzzi and Liana M. & Campinotti, Edward and Dianna M.	FP,I,R	49 afa	Dec. 1 - Apr. 30
26126	L 12208	Nicola D. Muzzi and Lianna M. & Campinotti, Edward and Dianna M.	FP,I,R	20 afa	Dec. 1 - Apr. 30

\* Priority of post-1914 appropriative rights is established as of the date of filing of the application. Application numbers reflect date of filing so that the lower the application number, the earlier the date of filing. Post-1914 appropriative rights are junior to all active riparian rights and all appropriative rights initiated prior to December 19, 1914 except that all diversions for active inside residential domestic use authorized by permits and licenses in this schedule shall be in the first priority.

SCHEDULE 6  
(continued)

VARIOUS CLAIMANTS HOLDING POST-1914 APPROPRIATIVE WATER RIGHTS

APPLICATION	LICENSE	OWNER	USE	AMOUNT	SEASON
26913	P 19755	Peter Marchi & Sons, Inc.	FP,I,R	49 afa	Dec. 1 - Apr. 30
27377	P 19063	Carl Djerassi	FP,R,S	20 afa	Dec. 1 - Apr. 30
27600	P 19042	Carl Djerassi	FP,J,R,S	15 afa	Dec. 1 - Apr. 30
28190	P 19432	Hayden Coggins	S	20 afa	Oct. 1 - May 1
28255	P 19450	Cuesta La Honda Guild	FP,R	10 afa	Dec. 1 - Apr. 31
28359	P 19586	Norman E. and Beverly M. Oaks	D,I,S	15,586 gpd	Jan. 1 - Dec. 31
28366	P 19587	Norman E. and Beverly M. Oaks	D,FP,I,S	10 afa	Nov. 1 - Apr. 30
28376	P 19661	Elliot Roberts	FP,I,R,S	10 afa	Nov. 1 - Mar. 31
28377	P 19663	Elliot Roberts	D	9,060 gpd	Jan. 1 - Dec. 31
28378	P 19662	Elliot Roberts	FP,R,S	5.5 afa	Nov. 1 - Mar. 31
28383	P 19525	Betsy B. Clebsch	D,FP,R,W	0.7 afa	Oct. 1 - Apr. 30
28384	P 19851	David J. and Susan M. Dorsey	D S	1,000 gpd 447 gpd	Jan. 1 - Dec. 31 Jan. 1 - Dec. 31
28389	P 19915	Glenwood Boys Ranch	D I	4,000 gpd 7,500 gpd	Jan. 1 - Dec. 31 Apr. 1 - Oct. 31
28404	P 20042	Albert L. and Paula Russ**	D,I,R,S	27.2 afa	Dec. 1 - Apr. 30
28423	P 19912	Neil Young	I,S	14 afa	Nov. 1 - Apr. 30
28424	P 19913	Neil Young	I,S	20 afa	Nov. 1 - Apr. 30
28554	P 19833	Robert Stebbins	D I	500 gpd 1,600 gpd	Jan. 1 - Dec. 31 Jan. 1 - Dec. 31
28714	P 19917	Richard K. Miller	S,I	12 afa	Dec. 1 - Apr. 30
28730	P 19999	Consolidated Farms Inc.	S	9 afa	Oct. 1 - May 31
28796	P 20000	Consolidated Farms Inc.	S	4 afa	Oct. 1 - May 31
28797	P 20001	Consolidated Farms Inc.	S	1 afa	Oct. 1 - May 31
28808	P 19934	Edith McDonald	S	3.36 afa	Nov. 1 - Mar. 31

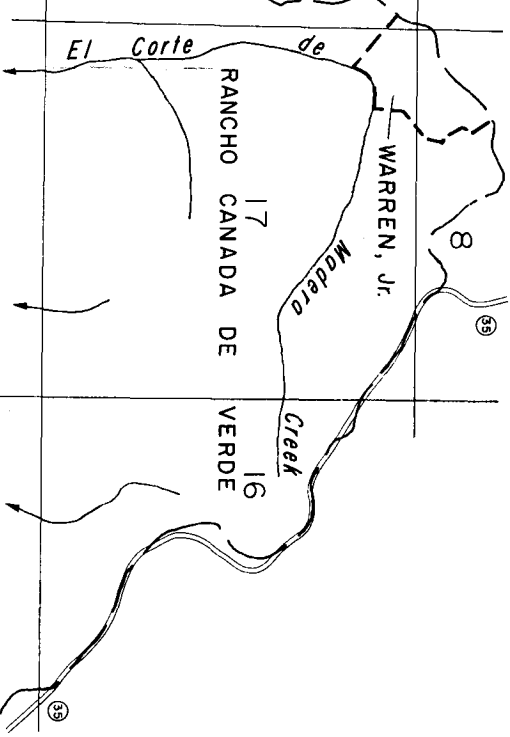
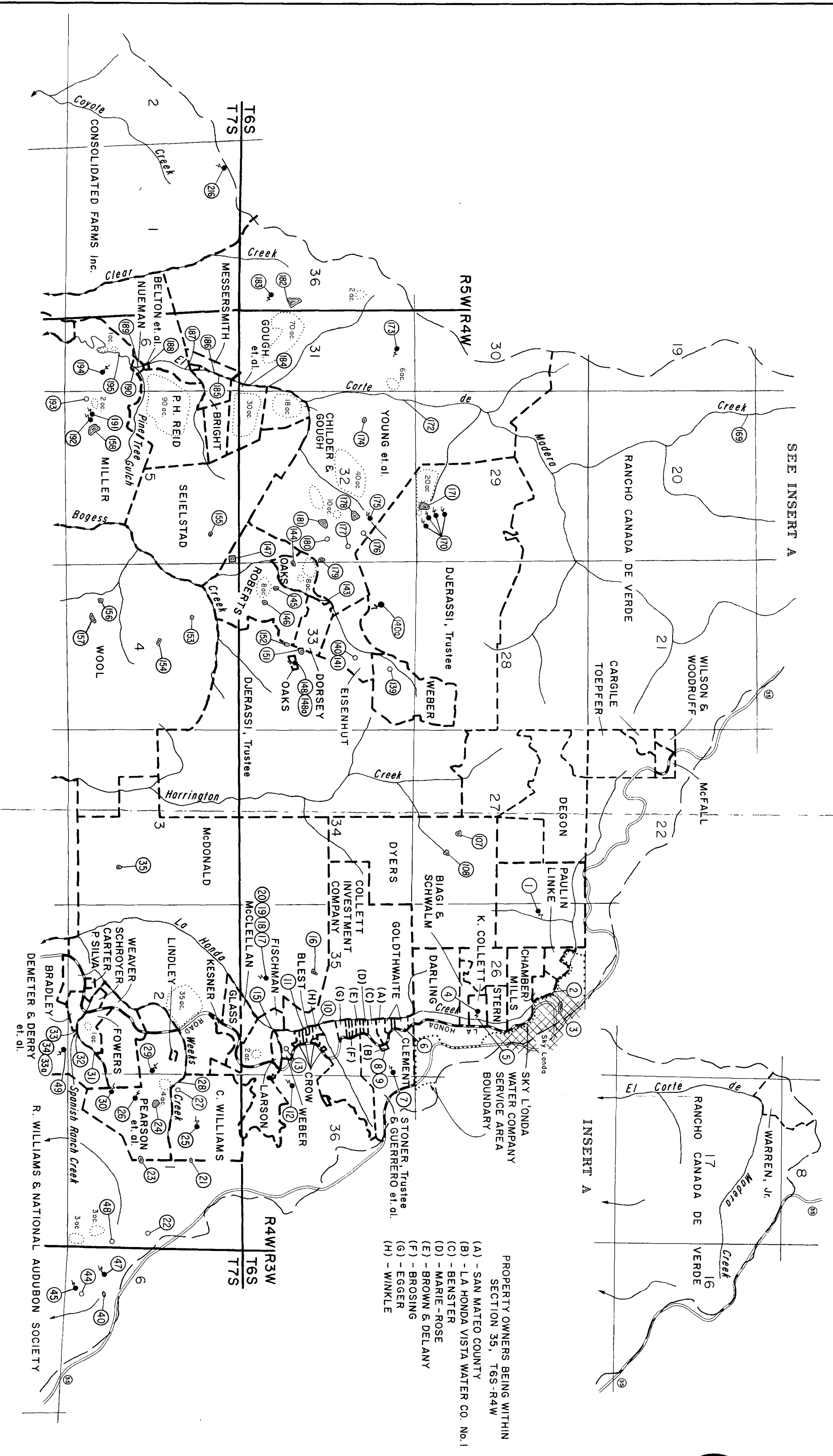
\*\* Provided that the right to the use of water is perfected under the terms of Permit 20042.

SCHEDULE 7

VARIOUS CLAIMANTS HOLDING STOCKPOND CERTIFICATES

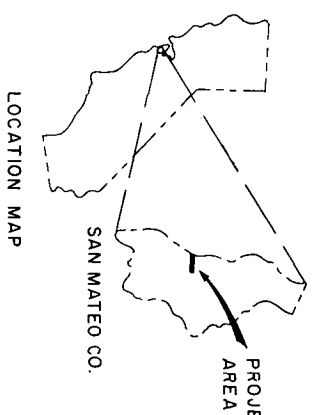
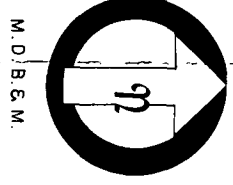
<u>STOCKPOND CERTIFICATE</u>	<u>OWNER</u>	<u>AMOUNT (afa)</u>	<u>SEASON</u>
104	Richard and Eva Blum	2.7	Nov. 1 - May 1
3209	Albert J. Wool	5.0	Nov. 1 - May 1
3210	Albert J. Wool	2.0	Nov. 1 - May 1
3609	Gerda Isenberg	5.0	Nov. 1 - May 1
3610	Gerda Isenberg	3.2	Nov. 1 - May 1
3637	Rhona Williams & National Audubon Society	1.6	Nov. 1 - May 1
3638	Rhona Williams & National Audubon Society	2.9	Nov. 1 - May 1
3640	Rhona Williams & National Audubon Society	6.0	Nov. 1 - May 1
3643	Chris, Carl E. and Helen J. Pearson	3.0	Nov. 1 - May 1





- PROPERTY OWNERS BEING WITHIN SECTION 35, T6S-R4W
- (A) - SAN MATEO COUNTY
  - (B) - LA HONDA VISTA WATER CO. No. 1
  - (C) - BENSTER
  - (D) - MARIE-ROSE
  - (E) - BROWN & DELANY
  - (F) - BROSSING
  - (G) - EGGER
  - (H) - WINKLE

- LEGEND
- TOWNSHIP & RANGE LINE
  - SECTION LINE
  - PROPERTY BOUNDARY
  - WATERSHED BOUNDARY
  - ROAD
  - CREEK
  - RESERVOIR
  - SPRING
  - DEVELOPED SPRING or HORIZONTAL WELL
  - POINT OF DIVERSION
  - LAND USE
  - IRRIGATED
  - DRY LAND CROPS

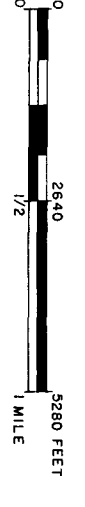


State of California  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**SAN GREGORIO CREEK  
STREAM SYSTEM**

SHOWING  
OWNERSHIPS, DIVERSIONS  
& IRRIGATED LANDS

SAN MATEO CO.  
1989







**STATE WATER RESOURCES CONTROL BOARD  
P. O. Box 100, Sacramento, CA 95801**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS**

**NORTH COAST REGION (1)**

1440 Guerneville Road  
Santa Rosa, CA 95403  
(707) 576-2220

**SAN FRANCISCO BAY REGION (2)**

1111 Jackson Street, Rm. 6040  
Oakland, CA 94607  
(415) 464-1255

**CENTRAL COAST REGION (3)**

1102-A Laurel Lane  
San Luis Obispo, CA 93401  
(805) 549-3147

**LOS ANGELES REGION (4)**

107 South Broadway, Rm. 4027  
Los Angeles, CA 90012  
(213) 620-4460

**CENTRAL VALLEY REGION (5)**

3443 Routier Road  
Sacramento, CA 95827-3098  
(916) 361-5600

**Fresno Branch Office**

3614 East Ashlan Ave.  
Fresno, CA 93726  
(209) 445-5116

**Redding Branch Office**

100 East Cypress Avenue  
Redding, CA 96002  
(916) 225-2045

**LAHONTAN REGION (6)**

2092 Lake Tahoe Boulevard  
P. O. Box 9428  
South Lake Tahoe, CA 95731  
(916) 544-3481

**Victorville Branch Office**

15428 Civic Drive, Suite 100  
Victorville, CA 92392-2359  
(619) 241-6583

**COLORADO RIVER BASIN REGION (7)**

73-271 Highway 111, Ste. 21  
Palm Desert, CA 92260  
(619) 346-7491

**SANTA ANA REGION (8)**

6809 Indiana Avenue, Ste. 200  
Riverside, CA 92506  
(714) 782-4130

**SAN DIEGO REGION (9)**

9771 Clairemont Mesa Blvd. Ste. B  
San Diego, CA 92124  
(619) 265-5114

