

WORKING COPY
Rec'd 8/20/03

Am

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

A26454

PETITION FOR CHANGE
(WATER CODE 1700)

X Point of Diversion, _____ Point of Rediversion, _____ Place of Use, _____ Purpose of Use
Application _____ Permit X License _____ Statement or Other _____

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

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by Cal CR 715, and the 40-acre subdivision in which the present & proposed points lie.)

Present See Attached Permit 21032, South 2532 feet and West 774 feet from NE corner, NE 1/4 Sec 25, T27S, R26E, MDB&M

Proposed North 1246 feet and West 1848 feet from SE corner, SE 1/4 Section 8, Township 27 South, Range 26 East, Mount Diablo Base and Meridian.

Place of Use (If irrigation then state number of acres to be irrigated within each 40-acre tract.)

Present Cawelo Water District, Townships 26, 27, 28 & 29 South, Ranges 26 & 27 East, Mount Diablo Base & Meridian, County of Kern, State of California.

Proposed Same

Purpose of Use

Present Groundwater storage, extraction for irrigation of crops and stockwatering.

Proposed Same

Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707)? _____
(yes/no)

- GIVE REASON FOR PROPOSED CHANGE: Change in location of Project Development for District's Groundwater Management Plan of Conjunctive Management of Surface Water and Groundwater
- WILL THE OLD POINT OF DIVERSION OR PLACE OF USE BE ABANDONED? Yes, Direct Diversion only
(yes/no)
- WATER WILL BE USED FOR groundwater storage and delivery for irrigation PURPOSES.

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of? Ownership in fee
(ownership, lease verbal or written agreement)

Are there any persons taking water from the stream between the old point of return flow and the new point of return flow? N/A
(yes/no)

If by lease or agreement, state the name and address of party(s) from whom access has been obtained. Attach additional pages if needed.
N/A

Give name and address of any person(s) taking water from the stream between the present point of diversion or rediversion and the proposed point of diversion or rediversion, as well as any other person(s) known to you who may be affected by the proposed change.

Robert J. Vignolo/ Vignolo Farms, Inc.
P. O. Box 1268
Shafter, CA 93263

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

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

Dated December 18, 20 02 at Bakersfield, California

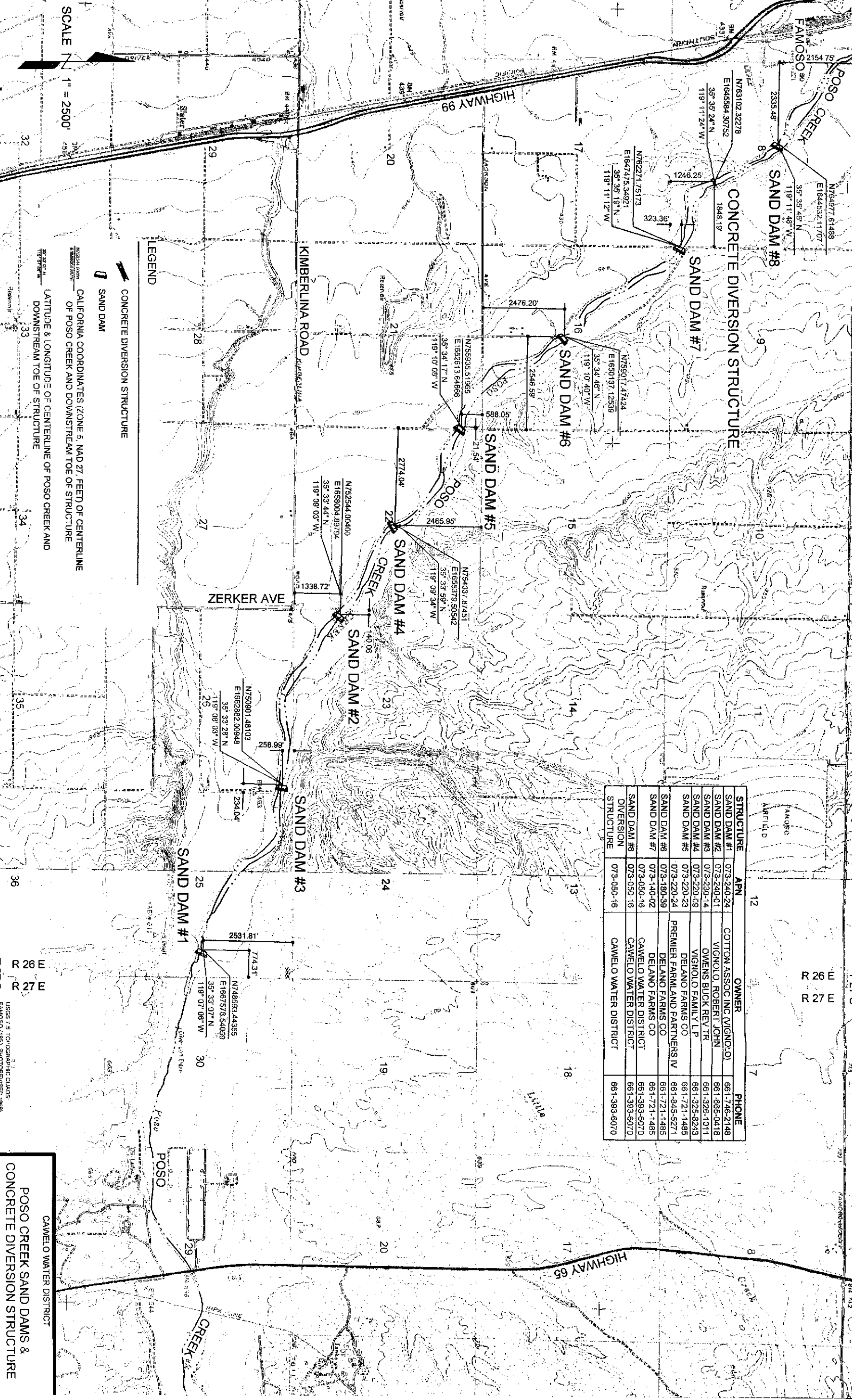
[Signature]
Signature(s)

(661) 393-6072
Telephone No.

NOTE: A \$100 filing fee made payable to the State Water Resources Control Board and a \$850 fee made payable to the Department of Fish and Game must accompany a petition for change.

Fee paid
2/21/03

STRUCTURE	APN	OWNER	PHONE
SAND DAM #1	073-240-24	COTTON ASSOC INC (VIGNOLO)	661-746-2148
SAND DAM #2	073-240-01	VIGNOLO, ROBERT JOHN	661-685-0418
SAND DAM #3	073-230-14	OWENS BUCK REV TR	661-326-1011
SAND DAM #4	073-220-09	VIGNOLO FAMILY L P	661-325-8243
SAND DAM #5	073-220-23	DELANO FARMS CO	661-721-1485
SAND DAM #6	073-220-24	PREMIER FARMLAND PARTNERS IV	661-945-5271
SAND DAM #7	073-180-39	DELANO FARMS CO	661-721-1485
SAND DAM #8	073-140-02	DELANO FARMS CO	661-721-1485
SAND DAM #9	073-050-16	CAMELO WATER DISTRICT	661-393-5070
SAND DAM #10	073-050-16	CAMELO WATER DISTRICT	661-393-5070
SAND DAM #11	073-050-16	CAMELO WATER DISTRICT	661-393-5070



SCALE 1" = 2500'

LEGEND

- CONCRETE DIVERSION STRUCTURE
- SAND DAM

CALIFORNIA COORDINATES (ZONE 5, NAD 27, FEET) OF CENTERLINE OF POSO CREEK AND DOWNSTREAM TOE OF STRUCTURE

LATITUDE & LONGITUDE OF CENTERLINE OF POSO CREEK AND DOWNSTREAM TOE OF STRUCTURE

POSLO CREEK SAND DAMS & CONCRETE DIVERSION STRUCTURE

CAMELO WATER DISTRICT

R 26 E
R 27 E

USGS 7.5 TOPOGRAPHIC QUADS
FAMOSO (18N) PHOTOGRAPHED 1989

ENVIRONMENTAL INFORMATION FOR PETITIONS

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. **26454**

PERMIT NO.

LICENSE NO.

The following information will aid in the environmental review of your change petition as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR CHANGE PETITION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your change petition being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

DESCRIPTION OF CHANGES TO PROJECT

1. Provide a description of the proposed changes to your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, changes in land use, and project operational changes, including changes in how the water will be used.

The Cawelo Water District, permittee, purchased land and is developing groundwater recharge basins along with recovery wells and pipeline distribution systems at a location adjacent and downstream on Poso Creek of the prior point of diversion as provided in Permit 21032.

The point of direct diversion by a concrete check structure within Poso Creek would be relocated from the northeast quarter of Section 25, Township 27 South, Range 26 East, Mount Diablo Base and Meridian, to the southeast quarter of Section 8, Township 27 South, Range 26 East, Mount Diablo Base and Meridian, about 5 miles downstream.

The proposed Petition for Change in point of diversion would not involve a change in the construction of works, in land use, in project operations or in the use of Poso Creek flow all as set forth in the permit.

4. Has any public agency prepared an environmental document for any aspect of your proposed changes? Yes, Cawelo Water District, see attachments

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your change petition or whether the applicant, if it is a California public agency, will be preparing the environmental document for your change petition:

See NOD for Poso Creek Diversion Project (original location 12-21-01 filed with Kern County Clerk)

Modified Famoso Water Banking Project, change of location for diversion, filed Kern County Clerk

12/13/02, copy of EA & NOD enclosed.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your change petition cannot proceed until such documents are submitted.

5. Will your proposed changes, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your petition? Yes, Clean Water Act, Section 401

Person contacted Bert Van Voris Date of contact 25 June 2003

What method of treatment and disposal will be used? None required

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? Yes See copy attached.

Do you know of any archeological or historic sites located within the general project area?

No If so, explain: _____

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:

- a. Along the stream channel immediately downstream from the proposed point(s) of diversion.
- b. Along the stream channel immediately upstream from the proposed point(s) of diversion.
- c. At the place(s) where the water is to be used.

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your change petition will be delayed until you furnish the remaining sets.

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below): See biological Assessment enclosed.

FAMOSO-WOODY ROAD

Famoso
(M 422)

LEVEE

POSO

CREEK

PROPOSED POSO CREEK
CONCRETE DIVERSION
CHECK STRUCTURE

R2

PACIFIC

UNION

STATE RTE 99

SCALE  1" = 750'

CAWELO WATER DISTRICT

MODIFIED FAMOSO WATER BANKING PROJECT

SECTION 8, T 27 S, R 26 E
AERIAL PHOTOGRAPH (KERN COUNTY, 2000)

6/1/2007 10:17:45

Poso Creek

Sept. 2003

Looking westerly across channel

Flag at location of proposed diversion check structure



Sept. 2003

Poso Creek

Close-up of westerly bank at proposed diversion
check structure



Poso Creek **Sept. 2003**

Looking easterly across channel at proposed
diversion check structure



Poso Creek **Sept. 2003**

Looking easterly across channel at proposed
diversion check structure

Flag upstream of vehicle at location of
proposed diversion check structure



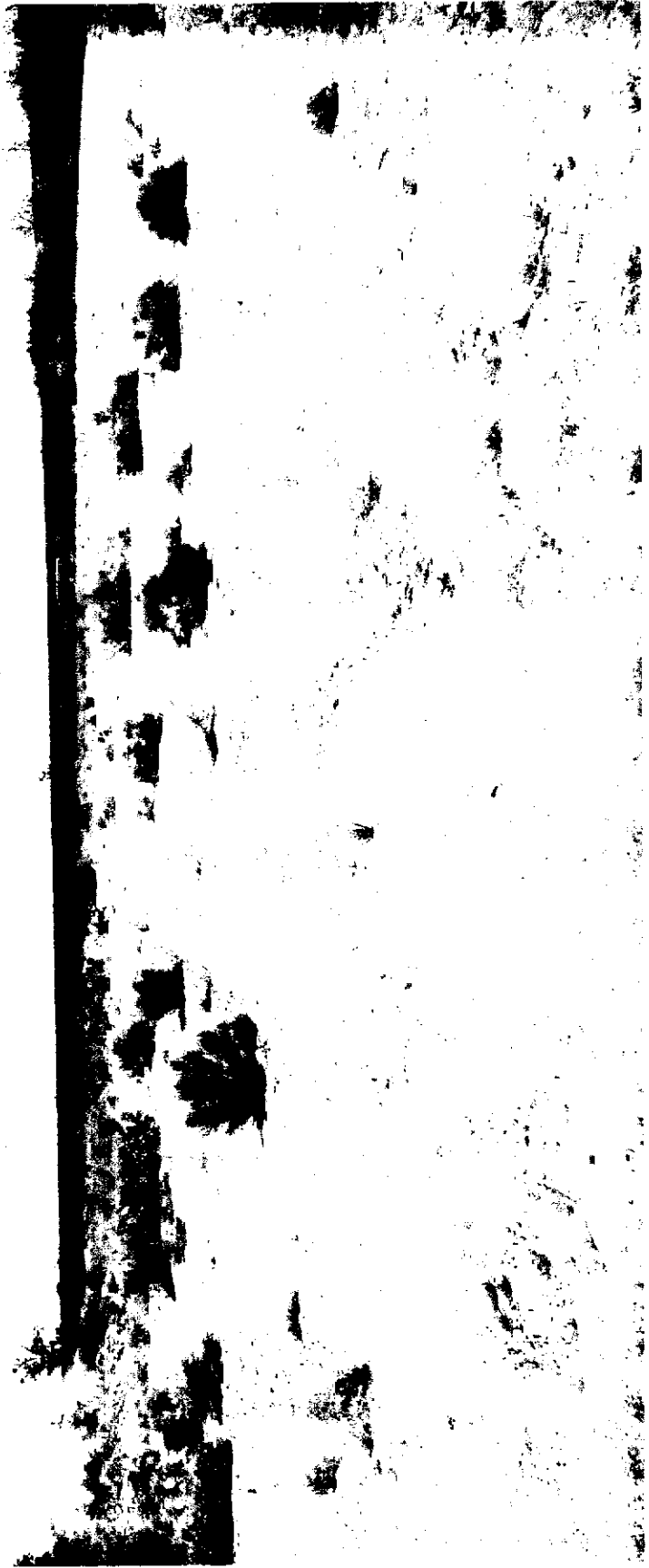
Poso Creek **Sept. 2003**

Looking downstream, in channel, of proposed
diversion check structure
Trees on westerly bank are downstream of proposed
diversion check structure



Poso Creek **Sept. 2003**

Looking upstream, in channel, of proposed diversion
check structure



Poso Creek

Sept. 2003

Close-up of westerly bank, looking upstream of
proposed diversion check structure



Tree Dominated Communities

- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
 - Sierran Mixed Conifer
 - White Fir
 - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
 - Blue Oak Woodland
 - Valley Oak Woodland
 - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
 - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities

- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities

- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities

- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities

- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your change petition, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None, see photographs enclosed for Part 7. above.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

No affect by proposed change of point of diversion.

11. Identify the typical species of riparian and terrestrial wildlife in the area and discuss whether or not any of these species and/or their habitat has been or would be affected by your proposed changes through construction of additional water diversion and distribution works and/or changes in land use in the place of water use. (Note: See footnote denoted by * below):

None affected, see photographs attached for Part 7. above.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your proposed changes. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Do your proposed changes involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? ___

No significant affect.

If so, explain: _____

The proposed concrete check diversion structure is 173'-8" wide and 41-feet in length within the Poso Creek channel with concrete cut off walls into the bed and bank of the dry channel, minimal invasion of bed and banks of Poso Creek channel.

CERTIFICATION

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

Date October 29, 2003 Signature [Handwritten Signature]