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Secretary for
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State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PETITIONS FOR CHANGE IN POINT OF DIVERSION, PLACE OF USE AND PURPOSE OF USE

**LICENSE 9393 (APPLICATION 7006)
PERMIT 20985 (APPLICATION 29901)**

PETITION FILED: July 29, 2002

STREAM SYSTEM: Russian River

COUNTY: Sonoma

Notice is hereby given that the Russian River County Water District (District) filed petitions for change for License 9393 (Application 7006) and Permit 20985 (Application 29901) for change in the point of diversion, place of use and purpose of use. The State Water Resources Control Board (State Water Board) will determine whether an order approving the changes should be issued for License 9393 and Permit 20985, if so, whether conditions are needed in the permit to protect the environment, the public interest, and downstream water users. This notice provides a description of the project and also describes the procedure and time frame for submittal of protests against the petition. This notice may be viewed at the Division of Water Rights' (Division) website at www.waterboards.ca.gov. Any correspondence directed to the petitioners should be mailed to:

Russian River County Water District
P.O. Box 954
Forestville, CA 95436

Description of Project: The Petitioner has requested to change the point of diversion under License 9393 to the wells authorized under Permit 20985.

The petitioner has requested to change the purpose of use for License 9393 to municipal from domestic.

Lastly, in order to serve water diverted under License 9393 and Permit 20985 to the Redwood Water Company (RWC) and Hacienda Water Company (HWC) users, the petitioner is requesting to change the authorized place of use to encompass the expanded service area of the RWC and HWC districts.

Summary of LICENSE 9393 (APPLICATION 7006):

California Environmental Protection Agency



County: Sonoma.
 Source: 1. Unnamed Stream tributary to Hobson Creek thence Russian River.
 2. Russian River tributary to Pacific Ocean.
 Point of
 Diversion: (1) South 480 feet and West 510 feet from the NE $\frac{1}{4}$ corner of section 26,
 T8N, R10W, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26.
 (2) South 700 feet and West 420 feet from the E $\frac{1}{4}$ corner of section 26,
 T8N, R10W, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26.
 Amount: 0.03 cubic foot per second (cfs) from the Unnamed Stream and 3.11 cfs
 from the Russian River provided the total amount diverted from both sources
 does not exceed 0.11 cfs.
 The maximum amount diverted under License 9393 shall not exceed
 28 acre feet per annum (afa).
 Season: November 1 to June 30 – Unnamed Stream.
 January 1 to December 31 – Russian River.
 Purpose: Domestic.
 Place of Use: In subdivisions within
 SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
 SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
 NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
 SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
 SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
 NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M and
 NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M.

Summary of PERMIT 20985 (APPLICATION 29901):

County: Sonoma.
 Source: Russian River Underflow tributary to Pacific Ocean.
 Point of
 Diversion: Well No. 1 – By California Coordinate System of 1927, Zone 2, North
 305,100 feet and East 1,742,150 within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 31,
 T8N, R9W, MDB&M.
 Well No. 2 – By California Coordinate System of 1927, Zone 2, North
 305,050 feet and East 1,742,200 within the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 31,
 T8N, R9W, MDB&M.
 Amount: 0.66 cfs direct diversion.
 Total annual diversion and use allowed under Permit 20985 shall not exceed
 302 afa.
 Season: January to December 31.
 Purpose: Municipal.

Place of

Use: Service area of the Russian River County Water District within
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 30, T8N, R9W, MDB&M;
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 31, T8N, R9W, MDB&M;
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 25, T8N, R10W, MDB&M;
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of section 26, T8N, R10W, MDB&M;
NE $\frac{1}{4}$ of section 35, T8N, R10W, MDB&M and
N $\frac{1}{2}$ of section 36, T8N, R10W, MDB&M.

Petition Summary for License 9393 and Permit 20985.

The District was formed in 1983 to maintain and operate a public water system along the Russian River near the unincorporated town of Forestville.

Within the last ten years, neighboring water suppliers RWC and HWC have approached the District requesting annexation of their service area into the District's distribution system.

Prior to annexation, RWC utilized shallow unpermitted wells near the Russian River to supply its domestic users. Annexation of RWC's service area into the District system was requested in 1993 and completed in 1994 with system improvements (including an intertie to service RWC) made in 1995 to accommodate the increased load. After annexation, RWC's shallow wells were abandoned in favor of deeper wells the District utilizes under Permit 20985.

In 1998, HWC sought annexation into the District. The HWC supply source included a shallow well along the Russian River and a diversion from a small stream tributary to Hobson Creek, pursuant to the water right License 9393. During mild flooding events the shallow well supplying water to the HWC system had the propensity for contamination. The existing Russian River well did not comply with State Health Department standards. Thus, HWC was faced with either upgrading its supply system to meet health and safety standards or abandoning the well source in favor of annexation into the District. HWC served 155 customers at the time of annexation.

Petition for Change:

The District has requested to change the point of diversion under License 9393 to the wells authorized under Permit 20985.

The petitioner has requested to change the purpose of use for License 9393 to municipal from domestic.

Lastly, in order to serve water diverted under License 9393 and Permit 20985 to the RWC and HWC users, the District is requesting to change the authorized place of use to encompass an expanded service area that includes RWC and HWC.

Environmental Information

The District has prepared an Initial Study and Mitigated Negative Declaration (SCH #98082048) Hacienda Water System Improvement Program, August 1998, prepared by Brelje & Race of Santa Rosa, California.

If you are not filing a protest, but wish to submit information that indicates the project may cause a significant effect on the environment, please send this information to Steven Herrera; State Water Board, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION

Protest Requirements

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the State Water Board.

All protests must clearly describe the objections to approval of the petition, and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests of a general nature (not project specific) or protests that are inconsistent with constitutional or legislated state policy will not be accepted. A request for information or a request that studies be conducted does not constitute a protest. **The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.**

Procedure for Submitting Protests

Protests should be submitted on standard protest forms available from the Division of Water Rights' website at www.waterboards.ca.gov/forms/ or upon request from the Division of Water Rights. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to

the engineer listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the petitioner and should include a description of any measures that could be taken to resolve the protest.**

Protest Submittal Deadline

Protests submitted in response to this notice must be received by the Division by **3:00 p.m. on January 29, 2007 (30 days after the date of this notice)**. Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000
2. Faxed to the Division at (916) 341-5400
3. E-mailed to the engineer listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 14th Floor, Sacramento, CA

If you choose to fax or e-mail the protest due to the constraints of the noticing period, the fax or e-mail must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division of Water Rights in order for the protest to be accepted. The State Water Board will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the State Water Board may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The petitioners will have 30 days to respond to a protest once it is accepted by the Division of Water Rights. The protestant and the applicant are expected to make a good faith effort to resolve the protest within 180 days from the close of the protest period.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please contact Patricia Miner by phone at (916) 341-5314 or by electronic mail at pminer@waterboards.ca.gov. Information and protest forms are also available at the Division's website: www.waterboards.ca.gov/forms/.

Date of Notice: December 29, 2006

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