

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>

STATE WATER RESOURCES CONTROL BOARD

SEP - 7 AM 11:16

PETITION FOR CHANGE
For owners of waste water treatment plants
 (WATER CODE 1211)

DIV. OF WATER RIGHTS SACRAMENTO

Point of Discharge Place of Use Purpose of Use

Maxwell Public Utilities District (530) 438 - 2505
 (Name of petitioner) (Telephone - between 8 a.m. and 5 p.m.)

P.O. Box 294 Maxwell California 95955
 (Mailing address) (City or town) (State) (Zip code)

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

Point of Discharge (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 NE 1/4 of SW 1/4 of Section 3, T16N, R3W, MDB&M
 Proposed Same

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

Present Discharge to agricultural ditch that drains to an unnamed tributary to Lurline Creek
 Proposed W 1/2 of NE 1/4 and E 1/2 of NW 1/4 of Section 9, T16N, R3W, MDB&M, 120 acres total

Purpose of Use

Present None
 Proposed Agricultural

• **GIVE REASON FOR PROPOSED CHANGE:** To add the use of treated wastewater for agricultural purposes as an authorized purpose of use.

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

If by lease or agreement, state the name and address of party(s) from whom access has been obtained.

N/A

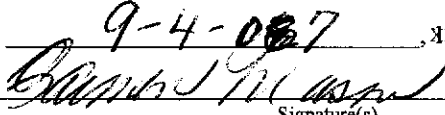
Give name and address of any person(s) taking water from the stream between the present point(s) of discharge and the proposed point(s) of redirection, as well as any other person(s) known to you who may be affected by the proposed change.

None

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated water? no
 (yes/no)

Will any legal user of the discharge treated waste water be affected? no
 (yes/no)

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

Dated: 9-4-07, 2007 at Maxwell, California

 Signature(s) (530)-438-2505 Telephone No.

NOTE: A \$1,000 filing fee made payable to the State Water Resources Control Board and an \$850 fee made payable to the Department of Fish and Game must accompany this petition for change.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>. Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

9-7-07
 \$1,000.00
 \$850.00
 JF

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DIV OF WATER RIGHTS
SACRAMENTO

**ENVIRONMENTAL INFORMATION
FOR PETITIONS**

(THIS IS NOT A CEQA DOCUMENT)

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.

DISCRPTION 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.

See attached

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>."
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GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your change petition, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your proposed changes by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your change petition. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- a. Person contacted Steve Hackney Date of contact 4/18/2007
Department Colusa County Planning & Building Telephone (530) 458-0480
 - b. Assessor's Parcel No. 014-100-030-000
 - c. County Zoning Designation RR Rural Residential, R2 Multi Family, RPD1 Single Family
 - d. Are any county permits required for your proposed changes? Yes
If yes, check appropriate space below:
Grading Permit, Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan Change,
Other (explain):
Lot line adjustment (administrative action)
 - e. Have you obtained any of the required permits described above? Applications submitted
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your proposed changes? Yes (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type Waste Discharge Requirements
Person (s) contacted Anne Olson Agency Central Valley RWQCB
Date of contact 3/29/2007 Telephone (916) 464-4740

4. Has any public agency prepared an environmental document for any aspect of your proposed changes?

Yes. _____

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:

Maxwell Public Utilities District (the District) has prepared a proposed Mitigated Negative Declaration for the project. The District is the Lead Agency for the CEQA document. The State Clearinghouse recognizes the circulation period as from 8/13/2007 through 9/11/2007. The District is scheduled to consider adopting the document at a public meeting on September 19, 2007. A copy of the document was sent to this office at the beginning of the circulation period.

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? Yes _____ If so, explain: During construction

soils will be disturbed and there will be potential for soil erosion, which could result in turbidity and/or sedimentation. However, mitigation measures proposed in the CEQA document should prevent this.

No sewage, industrial chemicals, metals, or agricultural chemicals will be discharged during construction.

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? No WDRs required for construction. See # 3 above.

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

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

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

No If so, explain: _____

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ENVIRONMENTAL SETTING

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):

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

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).

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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.

No trees or large shrubs are planned to be removed or destroyed while implementing the proposed changes.

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):

A biological survey was conducted by a Winzler & Kelly Senior Botanist, Wildlife Biologist on May 11, 2007. The proposed diversion area (constructed and semi-maintained agricultural ditch) was surveyed and there was no perceived fish habitat value noted in the ditch. Since the primary flow contribution to the 1/2 mile long ditch is the secondary disinfected wastewater and tailwater from agricultural irrigation and since, except for the portion of the ditch on the wastewater treatment plant, the ditch is overgrown with tule bullrush (Scirpus) and cattail (Typha) significant establishment of fish species is not likely to take place.

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):

According to the results of the biological survey mentioned in item 10 above, establishment of significant terrestrial or riparian wildlife habitat was not observed in the proposed diversion area. Therefore, it is unlikely that the proposed change would result in adverse impacts to riparian or terrestrial wildlife.

*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
If so, explain: _____

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

9-4-07

Signature

B. Ann Grand

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SUPPLEMENT TO MAXWELL PUBLIC UTILITY DISTRICT WASTEWATER CHANGE PETITION

DESCRIPTION OF CHANGES TO THE PROJECT

The Maxwell Public Utility District (the District) owns and operates its wastewater treatment facility (CA0079987). The design flow rate of the waste water treatment facility (WWTF) is 0.2 million gallons per day (MGD) and the average daily flow rate is 0.14 MGD. The WWTF produces secondary disinfected effluent which is discharged to an agricultural ditch that drains to an unnamed tributary to Lurline Creek.

The District is currently in the process of implementing a project to change from surface water discharge to land disposal of treated effluent on 120 acres of a nearby 264 acre parcel of land (reuse site) to be acquired by the District.

Water Code Section 1211(a) states that owners of wastewater treatment facilities shall receive approval from the State Water resources Control Board for any change in purpose of use, place of use, and point of discharge of treated wastewater. The District is petitioning to add the use of treated wastewater for agricultural use as an authorized purpose of use. Treated effluent will be pumped through a 1.4 mile pipeline to the reuse site. At the reuse site the treated effluent will be stored in a pond and used for irrigation of non-edible crops at agronomic rates. As a result of the project the District will cease to discharge to the agricultural ditch that drains to an unnamed tributary to Lurline Creek.