

PETITION FOR EXTENSION OF TIME

WATER USERS:

Application 12178 Permit 11356

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (State Water Board), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the State Water Board may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

- The project has been abandoned and I request revocation of the permit.

Signature
- Full use of water has been made, both as to amount and season, and I request license be issued.

Signature
- The project is not yet complete. I request the State Water Board's consideration of the following petition for an extension of time.

PETITION FOR EXTENSION OF TIME If START of construction has been delayed

Complete items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

2. Estimate date construction work will begin. _____

3. Reasons why construction work was not begun within the time allowed by the permit.

STATE WATER RESOURCES CONTROL BOARD
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PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit.

4. A 40 - year extension of time is requested to complete construction work and/or beneficial use of water. (Must be consistent with the time frame allowed in California Code of Regulations sections 840 through 844)
5. How much water has been used? 1261 acre-feet/year N/A cfs
6. How many acres have been irrigated? 226,655 acres (all sources of FPUD water supply)
7. How many houses or people have been served water? Approx. 10,000 service connections (all sources of FPUD water supply)
8. Extent of past use of water for any other purpose. Not applicable
9. What construction work has been completed during the last extension? Not applicable.
10. Approximate amount spent on project during last extension period. \$ \$53,100 for regulatory compliance. No funds needed for construction due to the use of existing facilities.
11. Estimate date construction work will be completed. Construction is complete
12. Estimated year in which water will be fully used. This is dependent on hydrology. The District is ready to and capable of diverting to storage the full permitted amount of water when it is feasible to do so.
13. Reasons why construction and/or use of water were not completed within time previously allowed. Due to the flashy nature of local hydrology, many years are dry and of limited productivity. The District diverts water to storage pursuant to the permit whenever and to the extent there is water available to do so. The water is valuable and useful to the District, those it serves, and the region, especially in light of the prevailing drought and other constraints on imported water supplies.

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

14. What water conservation measures are in effect or feasible within the place of use? Implementation of the District's Urban Water Management Plan, including BMP's.
15. How much water is being conserved or is it feasible to conserve using these conservation measures? 1,000 acre-feet per annum.
16. How much water per capita is used during the maximum 30-day period? _____ gpd. Unknown.
Maximum 30-day consumption within the District is approximately 3,200 AF.

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

Dated: 12/15, 2008, at Fallbrook, California

Keith Lewinger

Signature(s)
Keith Lewinger

(760) 728-1125

Telephone No.

PO Box 2290, Fallbrook CA 92088-2290

PLEASE PRINT YOUR NAME AND ADDRESS

NOTE: All petitions must be accompanied by the **filing fee** (see fee schedule at www.waterrights.ca.gov) made payable to the State Water Resources Control Board (State Water Board) and an **\$850 fee** made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time. Separate petitions are required for each water right. Separate State Water Board fees are required if both a change and time extension petition are being filed.

State Water Resources Control Board

DIVISION OF WATER RIGHTS

DIV. OF WATER RIGHTS
SACRAMENTO

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION
FOR PETITIONS

Fallbrook Public Utility District Application 12178/Permit 11356

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, 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, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See attached.

Lined area for providing a description of proposed changes or work remaining to be completed.

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SACRAMENTO~~

See Attachment No. 1

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: _____

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

See Attachment No. 1

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? YES NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. 1

- b. Will a waste discharge permit be required for your project? YES NO
Person contacted: _____ Date of contact: _____
- c. What method of treatment and disposal will be used? _____

See Attachment No. 1

6. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

See Attachment No. _____

7. ENVIRONMENTAL SETTING

Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.

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

8. CERTIFICATION

I hereby certify that the statements I have furnished above and in the attachments 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: 12/15/08

Signature: Keith Lewinger

Attachment to Environmental Information for Petitions
Application 12178 Permit 11356

Attachment No. 1

The proposed project consists of an extension of time in which to complete full beneficial use of water under the permit. The only reason that full use has not yet occurred is weather. Due to the flashy nature of the local hydrology, many years are dry and of limited productivity. The District has been, and will continue to, divert water to storage pursuant to the permit whenever and to the extent there is water available to do so. The only constraint is hydrology/precipitation. The water is valuable and useful to the District, those it serves, and the region, especially in light of the prevailing drought and other constraints on imported water supplies. Approval of this extension of time will advance the statewide goal of reducing Southern California's reliance on imported water supplies.

This source of water does not alter the District's demand; it reduces the District's reliance on imported water supplies (State Water Project and Colorado River water). The District is a member of the San Diego County Water Authority, which in turn is a member of the Metropolitan Water District of Southern California (MWD). This water is treated at MWD's Lake Skinner Filtration Plant in Riverside County. No change to regulatory compliance for that facility is associated with this petition for extension of time.

Existing facilities built by MWD some time ago are used for the diversion and storage of water pursuant to this permit. Activities that occurred during the time of the most recent extension included obtaining SWRCB approval to move the authorized point of diversion from the Santa Margarita River upstream to Lake Skinner on Tocalota Creek, and to expand the authorized place of use to 920,472 acres within the boundaries of the San Diego County Water Authority as shown on a map dated February 2, 2005 on file with the SWRCB. Water use under the permit commenced during the time of the most recent extension. No change in circumstances or permit conditions, including bypass flows, has occurred.

KDM
12178

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December 18, 2008

Via Hand Delivery

STATE WATER RESOURCES CONTROL BOARD
2008 DEC 18 PM 12:57
DIVISION OF WATER RIGHTS
SACRAMENTO

Victoria Whitney, Deputy Director
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights
PO Box 2000
Sacramento, CA 95812-2000

RE: Fallbrook Public Utility District Application 12178/Permit 11356
Petition for Extension of Time

Dear Ms. Whitney:

On behalf of the Fallbrook Public Utility District ("the District"), we hereby file a petition for extension of time of Permit 11356 in furtherance of Fallbrook's Lake Skinner Project. Enclosed are the following documents:

1. Original and one copy of the Petition for Extension of Time for Application No. 12178/Permit No. 11356.
2. Original and one copy of the Environmental Information form (and attachments).
3. Check number 38351 in the amount of \$1,000 payable to the State Water Resources Control Board.
4. Check number 38350 in the amount of \$850 payable to the California Department of Fish and Game.

Please file the originals and return endorsed copies of the time extension petition and Environmental Information form to us in the enclosed self-addressed, stamped return envelope.

As indicated in the accompanying time extension petition materials, the proposed project consists of an extension of time in which to complete full beneficial use of water under the permit. Existing facilities built by MWD some time ago are used for the diversion and storage of water pursuant to this permit. No construction is proposed in connection with the requested time extension.

Rec'd
\$1000.00
\$850.00 (DFG)
12/18/08
MS

To: Victoria Whitney, Deputy Director
Re: Fallbrook Public Utility District Application 12178/Permit 11356
Petition for Extension of Time
Date: December 18, 2008
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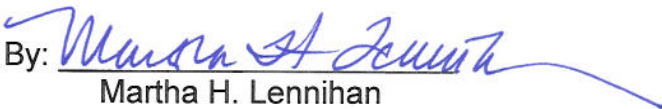
The only reason that full use of water under the permit has not yet occurred is weather. Due to the flashy nature of the local hydrology, many years are dry and of limited productivity. The District has been, and will continue to, divert water to storage pursuant to the permit whenever and to the extent there is water available to do so. The only constraint is hydrology/precipitation. The water is valuable and useful to the District, those it serves, and the region, especially in light of the prevailing drought and other constraints on imported water supplies. Approval of this extension of time will advance the statewide goal of reducing Southern California's reliance on imported water supplies.

CEQA Compliance. The District previously prepared a Mitigated Negative Declaration (1999), Addendum, and Notice of Exemption in connection with the Lake Skinner Project. These documents are currently on file with the SWRCB.

The District is the CEQA lead agency for this time extension petition. It is in the process of preparing an appropriate CEQA document.

Please call us if there are any questions about this petition. Thank you.

LENNIHAN LAW
A Professional Corporation

By: 
Martha H. Lennihan

Enclosure(s) as Indicated

cc: Keith Lewinger (w Encl.)
Joe Jackson (w/ Encl.)