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**Water Right Application 29408 and Wastewater Change  
Petition WW-6 of the City of Thousand Oaks**

**and**

**Findings Regarding Availability of Water for Appropriation  
under Water Right Applications 29816, 29819, 29829, 29581,  
29959, 30037, 30092 and 30194**

**Decision No. 1638**

**Arroyo Conejo, Conejo Creek  
and Calleguas Creek**

**Ventura County**

**September 1997**

divert any water in excess of the treated waste water discharged from the Hill Canyon WWTP less a total of 4.0 cfs to account for 2.0 cfs in channel losses and the dedication of 2.0 cfs to fish and wildlife.

In order to mitigate adverse effects on riparian habitat and wildlife downstream of the City's point of diversion, this decision requires the City to consult with appropriate agencies and to develop and undertake monitoring and mitigation measures to prevent harm to the southwestern pond turtle and to prevent a net loss of open and freshwater emergent marsh habitat. Finally, this decision concludes that there is no need for the "flow control and monitoring station" proposed by the City, that the proposed structure would be harmful to the environment and public trust resources, and that the proposed "flow control and monitoring station" shall not be considered a part of the project authorized in this decision.

The terms and conditions to be included in any water right permit issued on Application 29408, and the conditions governing the SWRCB's approval of Treated Waste Water Change Petition WW-6, are set forth below. In addition, the order below includes the SWRCB's findings regarding the availability of water for appropriation under the other pending applications to appropriate water from Conejo Creek and Calleguas Creek.

**ORDER**

IT IS HEREBY ORDERED that Waste Water Change Petition WW-6 is approved subject to the following conditions:

1. The City of Thousand Oak's dedication of 2.0 cfs of the treated waste water discharged from the Hill Canyon Waste

Water Treatment Plant for protection and maintenance of fish, wildlife, and other instream uses in Conejo Creek and Calleguas Creek is recognized and approved. The 2.0 cfs dedicated to instream uses shall be measured at the City of Thousand Oaks point of diversion under Water Right Application 29408 for diversion of water to serve Camrosa Water District and Pleasant Valley County Water District. The 2.0 cfs of treated waste water dedicated to instream uses by the City of Thousand Oaks shall not be available for diversion or appropriation by any other party for any other purpose.

2. The City of Thousand Oaks or parties contracting with the City of Thousand Oaks may divert the remainder of the treated waste water discharged from the Hill Canyon Waste Water Treatment Plant for the uses authorized by any water right permit or license issued on Application 29408 subject to the conditions stated in that permit or license. The amount of treated waste water subject to diversion and use under any water right permit or license issued on Application 29408 is based upon the measured rate of discharge of treated waste water from the Hill Canyon Waste Water Treatment Plant minus the 2.0 cfs dedicated to instream flows and minus an additional 2.0 cfs to account for channel losses between the point of discharge and the point of diversion authorized in the City's water right permit or license.

**IT IS FURTHER ORDERED** that Water Right Application 29408 is approved, in part, subject to the conditions established in this order. The permit on Application 29408 shall contain Standard Permit Terms 6, 7, 8, 9, 10, 11, 12, and 13 and the following additional terms:

3. Inclusion of a period within the season of diversion for any permit(s) issued on Applications 29581, 29816, 29819, 29829, 29959, 30037, 30092, and 30194 does not guarantee the availability of water for diversion during that time period.

Any permits issued on the specified applications shall be subject to the standard restrictions regarding protection of prior rights and shall be subject to maintenance of a bypass flow of 6.0 cfs for protection of instream uses and public trust resources at any time that water is diverted under the permit(s).

#### 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 September 18, 1997.

AYE: John Caffrey  
James M. Stubchaer  
Marc Del Piero  
Mary Jane Forster  
John W. Brown

NO: None

ABSENT: None

ABSTAIN: None

  
Maureen Marché  
Administrative Assistant to the Board