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State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
1001 I Street, 14th Floor, Sacramento, CA 95814
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5431 www.waterboards.ca.gov/waterrights

INITIAL STATEMENT OF WATER DIVERSION AND USE
NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.
A separate statement must be filed for each point of diversion.

An (*) indicates a required section. Required sections must be completed for the Statement to be accepted.

*A. Claimant/Agent Information

Claimant/Owner: Byron Bethany Irrigation District	Agent: Rick Gilmore, General Manager
Mailing Address	Mailing Address
7995 Bruns Road Byron CA 94514	7995 Bruns Road Byron CA 94514
Phone No. 209.835.0375	Phone No. 209.835.0375
Fax No. 209.835.2869	Fax No. 209.835.2869
E-mail Address: admin@bbid.org	E-mail Address: r.gilmore@bbid.org

*B. Water is diverted and used under the claim of: Riparian claim Pre 1914 claim Court Decree No _____
Note, if you have an application on file for a water right or have an existing license, please provide your application number _____
Other (explain): Other entitlement to water pursuant to U.S.B.R. Contract No. 14-06-200-785-LTR1.

*C. Name of the body of water at the point of diversion
Original point of diversion was Italian Slough. State Water Project precipitated (see line two)
relocation of diversion to the Intake Channel to the Banks Pumping Plant.

*D. Point of diversion is located within Contra Costa County, and if assigned, on Assessor's Parcel No. _____
being within the _____ 1/4 of _____ 1/4 of Section _____, of Township _____, Range _____, _____ B&M.
Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.
Lat. 37 Degrees 48'51.81" N / Long. 121 Degrees 36'20.71"W or
Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is Pump Station 1-N and 1-S. Related Water Right(s) _____

E. Do you own the land at the point of diversion? Yes No If No, please provide the name and address of the land owner at the point of diversion: State of California

*F. Capacity of diversion works 350 CFS (cfs, gpm, or gpd) Capacity of storage tanks or reservoir _____ (gallons or acre-feet)

Type of diversion facility: Gravity Creek Pump Well Pump

Method of measurement: Weir Flume In line flow meter Electric Meter Estimate

NOTE: *Monthly reports below are optional until January 1, 2012, at which time the information becomes mandatory.

*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs gpm or gpd

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

*#G. Provide the quantity of water diverted each month in the table below as measured in: Gallons Million gallons Acre-feet

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2009	460.28	9.75	856.18	2,512.98	3,532.23	3,943.99	4,798.25	3,227.12	4,203.94	1,476.48	97.47	60.34	26,179.01

H. Annual water use in recent years: Maximum 50,000 (gallons or acre-feet) Minimum 30,000 (gallons or acre-feet)

State the year of first use at diversion site or storage facility 1917, 1968 at Intake Channel.

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Municipal and Industrial, Agricultural Use.

*J. General description and location of the place of use shall be identified using a USGS topographic map, and if assigned, provide the public land description to the nearest 40 acre subdivision accompanied by the County Assessor's parcel map.
Lands within the Byron Bethany Irrigation District. A map to be provided via U.S. Mail.

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
 - a. Describe any water conservation efforts you have in place Urban, On-farm and District conservation practices in place.
2. Water quality and wastewater reclamation
 - a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES NO
3. Conjunctive use of surface water and groundwater
 - a. Are you using groundwater in lieu of surface water? YES NO

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

*DATE: June 30, 2010 at Byron, California

*SIGNATURE: 

*PRINTED NAME: Rick L. Gilmore
(first name) (middle initial) (last name)

COMPANY NAME: Byron Bethany Irrigation District

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

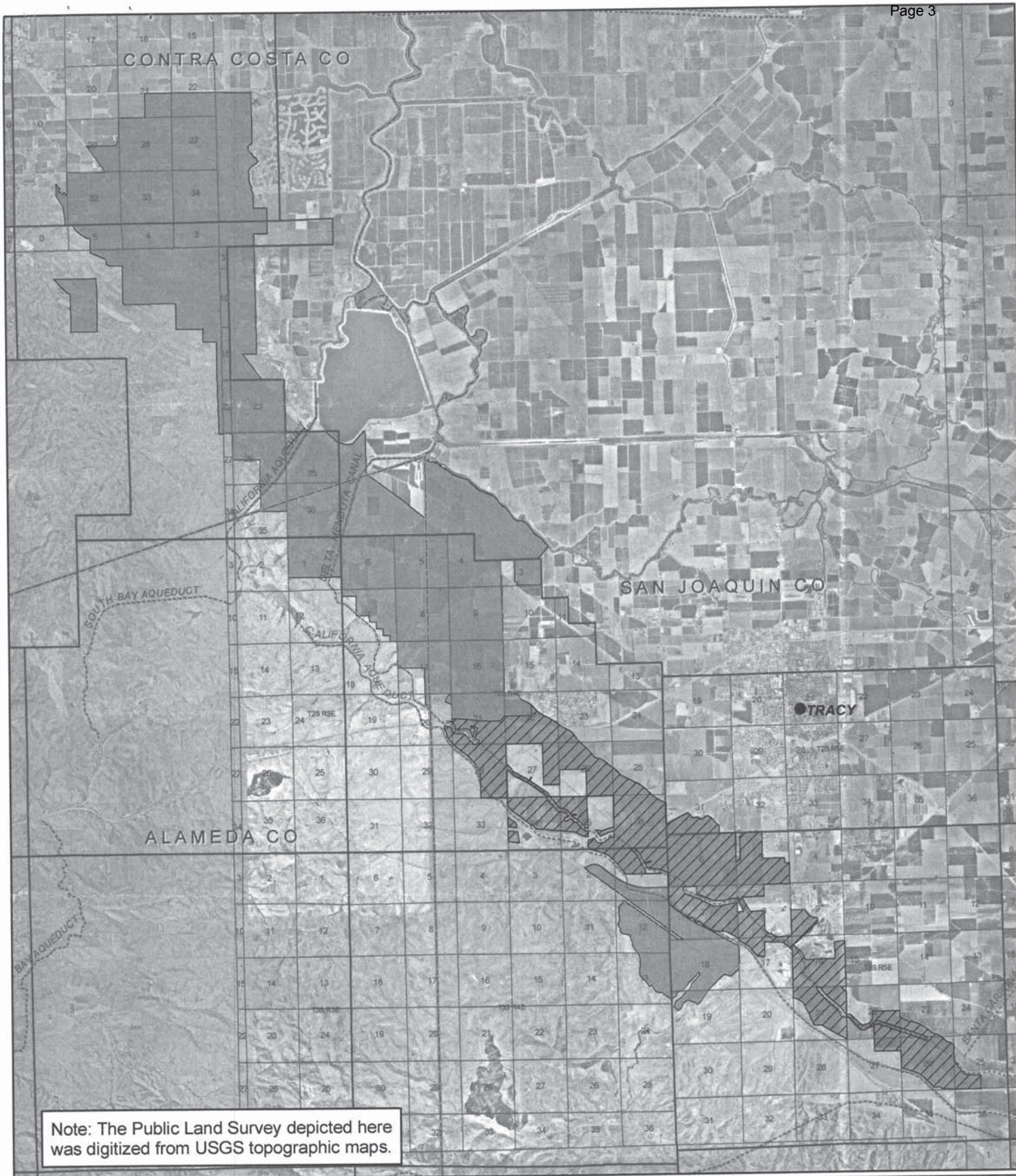
There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.


The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.



Note: The Public Land Survey depicted here was digitized from USGS topographic maps.

Byron-Bethany Irrigation District

Contract No. 14-06-200-785-LTR1
EXHIBIT A

-  Contractor's Service Area
-  District Boundary



Date: March 14, 2005
File Name: N:\districts\contracts\byron_bethany\byron_bethany.mxd

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SOMACH SIMMONS & DUNN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
500 CAPITOL MALL, SUITE 1000, SACRAMENTO, CA 95814
OFFICE: 916-446-7979 FAX: 916-446-8199
SOMACHLAW.COM

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July 25, 2011

DIV. OF WATER RIGHTS

State Water Resources Control Board
Division of Water Rights
1001 I Street
Sacramento, CA 95814

Attn: Lynnette Fischer

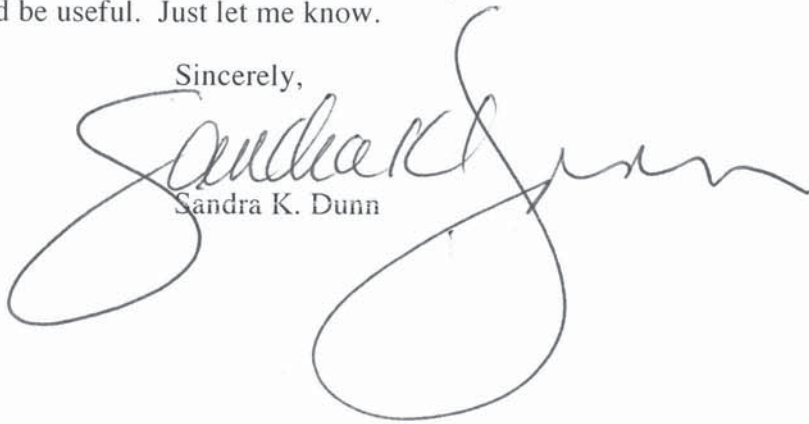
Re: Byron Bethany Irrigation District – Place of Use

Dear Ms. Fischer:

As per our recent telephone conversations, Byron Bethany Irrigation District (BBID) prepared the attached map depicting its point of diversion and place of use for its pre-1914 water right. According to our discussions, this map corrects the deficiency in the Statement of Diversion filed by BBID in 2010.

If there are any additional corrections required, please contact me at sdunn@somachlaw.com or by phone at 916-446-7979. I can also provide an electronic version of the map if that would be useful. Just let me know.

Sincerely,



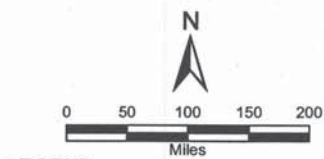
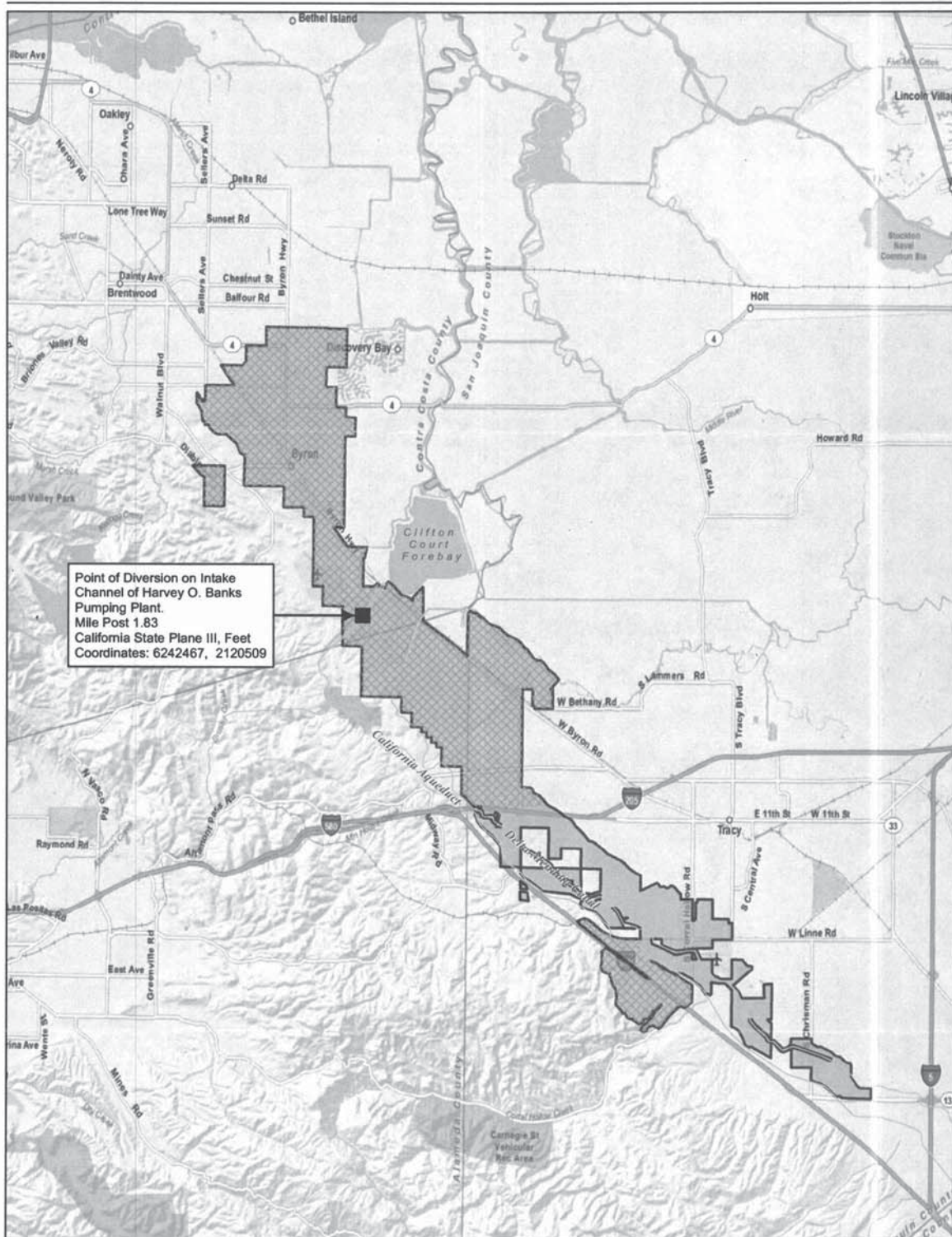
Sandra K. Dunn

SKD:sb

Encl.

cc: Rick Gilmore

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LEGEND

- Delta Mendota Canal
- Pre-1914 Water Right Place of Use
- BBID District Boundary



FIGURE 1
Pre-1914 Water Right Place of Use
Byron Bethany Irrigation District, California

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