

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 2013 - 0029 - EXEC

JUL 18 2013

In the Matter of the Diversion and Use of Water by
Peter A. Lang and Nancy Lang (dba Safari West)

**ORDER APPROVING SETTLEMENT AGREEMENT
AND CEASE AND DESIST ORDER**

BY THE EXECUTIVE DIRECTOR¹

1.0 INTRODUCTION

This matter comes before the Executive Director of the State Water Resources Control Board (State Water Board or Board) following the issuance of a draft Cease and Desist Order (CDO) and Administrative Civil Liability Complaint (ACL) to Peter Lang and Nancy Lang (Langs). In accordance with the attached Settlement Agreement, the State Water Board's Division of Water Rights' prosecution team (Division Prosecution Team) and the Langs have agreed to settle this matter in lieu of proceeding to a hearing. The issuance of a decision or Order pursuant to a settlement agreement is authorized under Government Code section 11415.60. The settlement is approved.

2.0 BACKGROUND

The Langs are the current owners of Sonoma County Assessor's Parcel number 079-020-048, on which they operate a business known as "Safari West." According to their website, an estimated 60,000 people visit each year. The website has videos and blogs that highlight a reservoir that is the subject of this Order as an important location for viewing exotic animals for the Safari West experience.

By letter dated July 5, 2005, the Division contacted property owners within the Russian River watershed in Sonoma County whose properties contained reservoirs for which, according to Division records, there was no water right authorizing the storage of water. Parties receiving the letter were requested to take certain specified actions, and the letter informed recipients of the State Water Board's authority to initiate enforcement action for any unauthorized diversion. The Langs were among the contacted property owners. There is no record in the Division's files of the Langs responding to the July 5, 2005 letter or of any action by the Langs regarding this matter.

¹ State Water Board Resolution No. 2002 - 0104 delegates to the Executive Director the authority to issue a decision or Order by settlement of the parties under Government Code section 11415.60.

On September 2, 2010, Division staff conducted an inspection of the Langs' property located at 3115 Porter Creek Road in Santa Rosa. During the inspection of the reservoir known as "Catfish Pond," Division staff was informed that the reservoir is filled annually during the rainy season with water from two ephemeral drainages that form the Unnamed Stream and discharge to the reservoir. Division staff determined that the water being diverted to storage in "Catfish Pond" is subject to the State Water Board's water right permitting authority. The Division has no record of a water right authorizing storage of water from the Unnamed Stream tributary to Porter Creek, and the Langs did not provide evidence supporting an existing appropriative right.

The visit to the Langs' property also included an inspection of the reservoir known as "Watusi Lake" which is covered by License 7349 (Application 18192). License 7349 is held by the Langs and authorizes the collection of 30 acre-feet from October 1 of each year to May 31 of the succeeding year for recreational use. Division staff found that the dam creating the reservoir had been altered to allow the installation of seven flashboards in the spillway. Six flashboards were installed at the time of inspection, and the measured drawdown was two feet from the maximum spillway elevation to the existing water level (maximum elevation is with seven flashboards installed). The Langs stated that they do not ever install more than six flashboards; however, Watusi Lake potentially is capable of storing more than the licensed amount. In addition, Division staff was informed that the reservoir has been used for stockwatering of approximately 25 head of Watusi cattle in addition to the licensed recreational use. At the time of inspection, staff estimated that more than 30 acre-feet of water was held in storage at Watusi Lake.

On December 7, 2010, staff for the State Water Board issued an Administrative Civil Liability Complaint (ACL) and a draft Cease and Desist Order (draft CDO) against the Langs alleging an unauthorized diversion and use and threat of unauthorized diversion and use of water at Catfish Pond and Watusi Lake in violation of sections 1052 and 1831 of the California Water Code.

By letter dated December 23, 2010, the Langs timely requested a hearing on the ACL and draft CDO. The Langs and the Division Prosecution Team agree to settle the matters identified in the ACL and Draft CDO through this Settlement Agreement in lieu of hearings on said matters.

3.0 SETTLEMENT AGREEMENT

The Langs and the Division Prosecution Team engaged in settlement discussions and reached an agreement on language that is mutually acceptable and is contained in the Settlement Agreement that is attached hereto. The general terms of the settlement are that the Langs: (1) withdraw their request for hearing on the ACL and CDO, and agree to the terms for cease and desist as described herein, and (2) pay an administrative civil liability in the amount of \$15,000 within 30 days of the date of this Order.

ORDER

IT IS HEREBY ORDERED THAT the attached Settlement Agreement between the Division's Prosecution Team and the Langs is approved and is incorporated by reference into this Order.

IT IS FURTHER ORDERED THAT, pursuant to section 1831 through 1836 of the California Water Code, the Langs shall cease and desist their unauthorized diversion of water to storage and comply with the following corrective actions pursuant to the schedules specified:

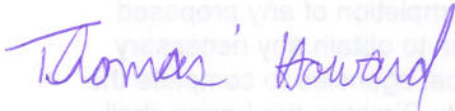
- a. For the purpose of resolving the draft CDO addressing diversion and use of water at Catfish Pond: The Langs agree to obtain either a) a Small Domestic Use Registration pursuant to Division 2, Part 2, Article 2.7 of the California Water Code (commencing with section 1228), or b) an appropriative water right permit issued, pursuant to California Water Code section 1250, et seq., for non-consumptive uses of water collected at Catfish Pond. Said Registration or Permit will include appropriate measuring and monitoring requirements and conditions to ensure that diversions at Catfish Pond do not exceed 10 acre-feet per annum (afa) and do not adversely affect prior rights and public trust resources.
- b. The Langs shall fully comply with all terms and conditions required by the Small Domestic Registration, if issued. If the Langs are unsuccessful in obtaining a Small Domestic Use Registration for Catfish Pond, they will diligently pursue a permit on their pending water right application and fully comply with all terms and conditions of the permit, if issued.
- c. If the Langs' Small Domestic Registration and water right permit applications are denied or canceled, or should the registration or permit be later revoked by the State Water Board, the Langs shall, within 150 days, submit a plan for approval by the Assistant Deputy Director for Water Rights to permanently render "Catfish Pond" incapable of storing water subject to the State Water Board's permitting authority. The plan shall include a time schedule, not to exceed two years, for completion of any proposed physical alterations to the facility and shall include a plan to obtain any necessary permits or agreements from other federal, state, and local agencies to complete the work. Upon approval of the plan by the Assistant Deputy Director, the Langs shall diligently comply with all provisions and time schedules of the plan. If the Langs are unable to comply fully with the plan due to other federal, state, or local agencies with authority over the work required, the Langs shall immediately alert the Assistant Deputy Director for Water Rights of the reason for delay and any problems with fully complying with the provisions of the plan and diligently work to overcome any such obstacles.
- d. For the purpose of resolving the draft CDO addressing potential unauthorized diversion and use of water at Watusi Lake: Within 60 days of the date of this Order, the Langs shall take one of the following actions:
 - i. Permanently render the reservoir incapable of storing more than 30 acre-feet of water by modifying the spillway through permanent removal of the steel channels and/or concrete necessary to prevent the installation of flashboards beyond elevation 294.95, as shown on the topographic survey map prepared by Brian Alan Curtis, Professional Land Surveyor, dated November 17, 2010; or

- ii. Comply with the measuring, monitoring and reporting plan (MMRP) attached to the Settlement Agreement, including the schedule for installation and monitoring of the reservoir elevation measuring device. The Langs shall install the equipment and implement the monitoring consistent with the approved plan.

Upon the failure of any person or entity to comply with a CDO issued by the State Water Board, pursuant to chapter 12 of the California Water Code (commencing with section 1825), and upon the request of the State Water Board, the Attorney General shall petition the Superior Court for the issuance of prohibitory or mandatory injunctive relief as appropriate, including a temporary restraining order, preliminary injunction, or permanent injunction. (California Water Code, § 1845, subd. (a).) Section 1845, subdivision (b) of the California Water Code provides:

- (1) Any person or entity that violates a cease and desist Order issued pursuant to this chapter may be liable for a sum not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.
- (2) Civil liability may be imposed by the Superior Court. The Attorney General, upon request of the [board], shall petition the Superior Court to impose, assess, and recover those sums.
- (3) Civil liability may be imposed administratively by the [board] pursuant to section 1055 of the California Water Code.

STATE WATER RESOURCES CONTROL BOARD



Thomas Howard
Executive Director

Dated:

JUL 18 2013

**CONFIDENTIAL AND PRIVILEGED
SETTLEMENT COMMUNICATION
SUBJECT TO EVIDENCE CODE §§ 1152 and 1154
AND GOVERNMENT CODE § 11415.60**

STATE WATER RESOURCES
CONTROL BOARD
2013 MAY 14 PM 11:02
DIV OF WATER RIGHTS
SACRAMENTO

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Peter Lang and Nancy Lang, dba Safari West ("the Langs") and the Prosecution Team of the State Water Resources Control Board's ("State Water Board") Division of Water Rights ("Division Prosecution Team") and is executed this 8th day of March, 2013.

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May na
June - wk

RECITALS

1. Records of the Sonoma County Assessor's Office show the Langs are the current owners of Sonoma County Assessor's Parcel number 079-020-048, on which they operate a business known as "Safari West." According to their website, an estimated 60,000 people visit each year. The website has videos and blogs that highlight a reservoir that is the subject of this Order as an important location for viewing exotic animals for the Safari West experience.
2. By letter dated July 5, 2005, the Division contacted property owners within the Russian River watershed in Sonoma County whose properties contained reservoirs for which, according to Division records, there was no water right authorizing the storage of water. Parties receiving the letter were requested to take certain specified actions, and the letter informed recipients of the State Water Board's authority to initiate enforcement action for any unauthorized diversion. The Langs were among the contacted property owners. There is no record in the Division's files of the Langs responding to the July 5, 2005, letter or of any action by the Langs regarding this matter.
3. On September 2, 2010, Division staff conducted an inspection of the Lang property located at 3115 Porter Creek Road in Santa Rosa. During the inspection of the reservoir known as "Catfish Pond," Division staff was informed that the reservoir is filled annually during the rainy season with water from two ephemeral drainages that form the unnamed stream and discharge to the reservoir. Mrs. Lang stated the reservoir was constructed in 1995, with county permits and approval.
4. Division staff determined that the water being diverted to storage in "Catfish Pond" is subject to the State Water Board's water right permitting authority. The Division has no record of a water right authorizing storage of water from the unnamed stream tributary to Porter Creek, and the Langs did not provide evidence supporting an existing appropriative right.
5. The visit to the Lang property also included an inspection of the reservoir known as "Watusi Lake" which is covered by License 7349 (Application 18192). License 7349 is owned by the Langs and authorizes the collection of 30 acre-feet from October 1 of each year to May 31 of the succeeding year for recreational use. Division staff found that the dam creating the reservoir had been altered to allow the installation of 7 flashboards in the spillway. Six flashboards were installed at the time of inspection and the measured

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drawdown was two feet from the maximum spillway elevation to the existing water level (maximum elevation is with seven flashboards installed). Staff estimated the maximum reservoir capacity at 65 acre-feet. However, the Langs stated that they do not ever install more than six flashboards. Based on the most recent reservoir survey and capacity curve calculation, dated November 17, 2010, the storage capacity of "Watusi Lake is estimated to be approximately 43.2 acre-feet with the six flashboards installed and approximately 49.8 acre-feet with seven flashboards installed. Therefore, Watusi Lake potentially is capable of storing 19.8 acre-feet more than the licensed amount. In addition, Division staff was informed that the reservoir has been used for stockwatering of approximately 25 head of Watusi cattle in addition to the licensed recreational use. At the time of inspection, staff estimated that more than 30 acre-feet of water was held in storage at Watusi Lake.

6. On December 7, 2010, staff for the State Water Board issued an Administrative Civil Liability Complaint (ACL) and a draft Cease and Desist Order ("draft CDO") against the Langs alleging an unauthorized diversion and use and threat of unauthorized diversion and use of water at Catfish Pond and Watusi Lake in violation of sections 1052 and 1831 of the Water Code.

7. By letter dated December 23, 2010, the Langs timely requested a hearing on the ACL and draft CDO. The Langs assert that diversions at Catfish Pond are made pursuant to a valid basis of riparian right, and that diversion and use of water at Watusi Lake is consistent with and authorized by License 7349, and is otherwise lawful. The Prosecution Team disputes the Langs' assertion.

8. The Langs and the Division Prosecution Team scheduled several meetings and site visits to attempt to resolve the issue. In lieu of a hearing on the matter, and without admitting or conceding the validity of either parties' positions with respect to the ACL and/or draft CDO, the Langs and the Division Prosecution Team agree to settle the matters identified in the Proposed CDO through this Settlement Agreement, as set forth herein.

9. This Settlement Agreement will be submitted to the State Water Board's Executive Director for approval and adoption pursuant to Government Code section 11415.60 as a decision by settlement and will become effective when the State Water Board's Executive Director issues an order approving the settlement.

NOW, THEREFORE, in consideration of these Recitals and in consideration of the mutual covenants set forth in this Settlement Agreement, the Langs and the Division Prosecution Team do hereby agree to settle the ACL and draft CDO as follows:

1. **Recitals Incorporated.** The preceding Recitals are incorporated herein.

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AND GOVERNMENT CODE § 11415.60**

2. **Settlement Conditionally Confidential.** Unless and until the State Water Board's Executive Director issues an order approving this Settlement Agreement, this Settlement Agreement is a confidential settlement document subject to all of the limitations on admissibility set forth in California Evidence Code sections 1152 and 1154. Furthermore, pursuant to Government Code section 11415.60, this Settlement Agreement is not admissible in an adjudicative proceeding or civil action for any purpose.

3. **Stipulations.** The Langs and the Division Prosecution Team do hereby jointly stipulate and agree as follows:
 - a. For the purpose of resolving the draft CDO addressing diversion and use of water at Catfish Pond: the Langs agree to obtain either a) a Small Domestic Use Registration pursuant to Division 2, Part 2, Article 2.7 of the Water Code (commencing with section 1228), or b) an appropriative water right permit issued pursuant to Water Code section 1250, et seq., for non-consumptive uses of water collected at Catfish Pond. Said Registration or Permit will include appropriate measuring and monitoring requirements and conditions to ensure that diversions at Catfish Pond do not exceed 10 acre-feet per annum (afa) and do not adversely affect prior rights and public trust resources.
 - i. The parties stipulate that on May 4, 2011, the Langs submitted a water right application for diversion and use of water at Catfish Pond. Subsequent to the filing of the application, the California legislature amended Water Code section 1228.1 to include aesthetic, recreational and wildlife uses, which are the current uses being made of the water in Catfish Pond, as appropriate uses pursuant to a Small Domestic Use Registration. The parties further stipulate that on March 16, 2012, the Langs also submitted an application for a Small Domestic Use Registration to the California Department of Fish and Game (DFG) pursuant to Water Code section 1228.3. The Langs intend to withdraw their appropriative water right application upon issuance of the applied-for Small Domestic Use Registration.

The Langs shall fully comply with all terms and conditions required by the Small Domestic Registration, if issued. If the Langs are unsuccessful in obtaining a Small Domestic Use Registration for Catfish Pond, they will diligently pursue a permit on their pending water right application and fully comply with all terms and conditions of the permit, if issued.

If the Langs' Small Domestic Registration and water right permit applications are denied or canceled, or should the registration or permit be later revoked by the State Water Board, the Langs shall, within 150 days, submit a plan for approval by the Assistant Deputy Director for Water Rights to permanently render "Catfish Pond" incapable of storing water subject to the State Water Board's permitting authority. The plan shall

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include a time schedule, not to exceed two years, for completion of any proposed physical alterations to the facility, and shall include a plan to obtain any necessary permits or agreements from other federal, state and local agencies to complete the work. Upon approval of the plan by the Assistant Deputy Director, the Langs shall diligently comply with all provisions and time schedules of the plan. If the Langs are unable to comply fully with the plan due to other federal, state, or local agencies with authority over the work required, the Langs shall immediately alert the Assistant Deputy Director for Water Rights of the reason for delay and any problems with fully complying with the provisions of the plan and diligently work to overcome any such obstacles.

- b. For the purpose of resolving the draft CDO addressing potential unauthorized diversion and use of water at Watusi Lake: within 60 days of the date of this settlement, the Langs shall take one of the following actions:
 - i. Permanently render the reservoir incapable of storing more than 30 acre-feet of water by modifying the spillway through permanent removal of the steel channels and/or concrete necessary to prevent the installation of flashboards beyond elevation 294.95 as shown on the topographic survey map prepared by Brian Alan Curtis, Professional Land Surveyor, dated November 17, 2010; or
 - ii. Comply with the measuring, monitoring and reporting plan (MMRP), attached hereto as Exhibit A. The plan describes how this information will be provided to the State Water Board and how the Langs will monitor to confirm that the collection of water to storage at Watusi Lake does not exceed the 30 acre-feet authorized in License 7349. Said plan includes installation of a device for release or bypass of water below the Watusi Lake dam to prevent collection of water to storage in excess of the licensed amount. The Langs shall install the equipment and implement the monitoring consistent with the approved plan.

The Division Prosecution Team agrees that incidental stockwatering use may be added to License 7349 pursuant to California Code of Regulations, title 23, section 798, and agrees not to take any further enforcement action based on the current omission of stockwatering from the uses authorized in License 7349.

- c. For the purpose of resolving the ACL Complaint: the Langs shall submit payment in the amount of \$15,000 to the Division within 30 days of approval of this settlement agreement by the State Water Board's Executive Director.
4. The terms and conditions of the Settlement Agreement and this Order are a final CDO. Violations of the Settlement Agreement and this Order may be subject to further enforcement under Water Code section 1845 at the discretion of the State Water Resources Control Board.

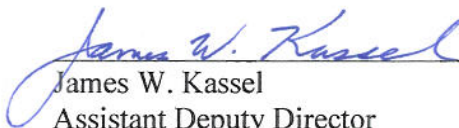
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5. **Postpone Hearing.** The Langs and the Division Prosecution Team have requested that the hearing in this matter be indefinitely postponed pending approval of this Settlement Agreement by the Executive Director.
6. **Waiver of Reconsideration.** The Langs waive their right to request reconsideration of the State Water Board Executive Director's order approving this Settlement Agreement, provided no material modifications to this Settlement Agreement or additional requirements beyond the requirements of this Settlement Agreement are included in that order.
7. **Successors.** This Settlement Agreement is binding on any successors or assigns of the Langs and the State Water Board.
8. **Independent Judgment.** Each party represents and declares that in executing this Settlement Agreement it is relying solely on its own judgment, knowledge and belief concerning the nature, extent and duration of its rights and claims, and that it has not been influenced to any extent whatsoever in the execution of this Settlement Agreement by any representations or statements regarding any matters made by other parties hereto or by any person representing them.
9. **No Precedent.** This Settlement Agreement involves unique facts and legal issues and shall not be used as a precedent decision of the State Water Board. This Settlement Agreement shall not be construed to be an admission by the Langs of the liability or of any of the allegations set forth in the Draft CDO.
10. **Additional Documents.** Each party agrees that it will cooperate fully in executing any additional documents necessary to give full effect to this Settlement Agreement.
11. **Entire Agreement.** This Settlement Agreement reflects and represents the entire agreement between and among the parties and supersedes any and all prior understandings, representations, and agreements whether written or unwritten. Each party represents that it has not relied on any inducements, promises or representations made by the other party other than those contained in this Settlement Agreement.
12. **Mutual Agreement.** The parties have agreed to the particular language in this Settlement Agreement, and this Settlement Agreement shall not be construed against the party that drafted this Settlement Agreement or any portion of this Settlement Agreement.
13. **Counterparts.** This Settlement Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

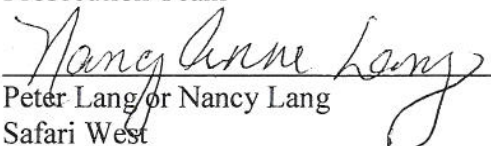
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14. **Reasonableness of Settlement.** The parties represent and warrant that this Settlement Agreement is made in good faith and in full recognition of the implications of such agreement.
15. **Section Headings.** The parties intend that the paragraph headings of this Settlement Agreement be used solely as a convenient reference and that they shall not in any manner amplify, limit, modify or otherwise aid in the interpretation of this Settlement Agreement.
16. **Effective Date.** This Settlement Agreement shall become effective immediately upon the State Water Board Executive Director's Order Approving Settlement Agreement.
17. **Choice of Law.** This Settlement Agreement shall be interpreted and governed by the laws of the State of California.
18. **Authorization.** Each party warrants that the individual executing this Settlement Agreement on behalf of such party is duly authorized to do so.
19. **State Water Board Is Not Liable.** Neither the State Water Board members nor the Board's staff, attorneys or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by the Langs or Safari West's directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Settlement Agreement, nor shall the State Water Board, its members or staff be held as parties to or guarantors of any contract entered into by the Langs or Safari West's directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Settlement Agreement.

Dated: 25 June, 2013


James W. Kassel
Assistant Deputy Director
State Water Board, Division of Water Rights
Prosecution Team

Dated: 8 May 2013


Peter Lang or Nancy Lang
Safari West

**Water Right License 7349 (Application 18192)
of Nancy and Peter Lang
Measuring, Monitoring and Reporting Plan**

I. INTRODUCTION

This Measuring, Monitoring and Report Plan (MMRP) pertains to operation of Watusi Lake under License 7349. This License allows for the diversion of up to 30 acre-feet per annum by storage to be collected from October 1 of each year to May 31 of the succeeding year. The licensed purpose of use is recreational use. This MMRP sets forth procedures to be followed by the Licensee for compliance with the terms of the license (amount and season), and for collection of information needed to accurately complete annual Reports of Licensee to the State Water Resources Control Board, Division of Water Rights (SWRCB).

II. EXISTING CONDITIONS

The existing reservoir is impounded by an earthen dam on an unnamed stream tributary to Mark West Creek in Sonoma County. Water collects in the reservoir by runoff from its naturally tributary drainage area. Excess inflow spills from the reservoir by way of an open channel spillway on the left abutment of the dam. A concrete structure within the spillway channel allows for the installation of flashboards, and thus the level of impoundment can be controlled by the level of boards installed in the structure. A 4-inch diameter low-level outlet pipe exists through the base of the dam and is controlled by a valve on the downstream side. The outlet pipe and valve provide a means to release water that is not authorized for diversion under License 7349.

A topographic map of Watusi Lake is provided as Attachment A hereto. Area-capacity curves for the reservoir are provided as Attachment B. Flashboards may be installed to the full depth of the spillway structure (Elevation 298.7). Under normal operating conditions flashboards are installed to Elevation 297.5 (this is the level associated with 6 boards installed). At this elevation the storage capacity of Watusi Lake is about 43.2 acre-feet. The Licensee shall not install flashboards higher than Elevation 297.5 without obtaining the prior approval of SWRCB for a revision of this MMRP.

III. MEASURING

The Licensee shall measure the level of Watusi Lake on or about the 1st of each month year-round. This measurement shall be made as the vertical distance from the top of the flashboards to the reservoir water surface. This measurement shall be made by a tape measure (or similar ruler) if the reservoir level is at or above the base of the concrete spillway structure. If the reservoir level is below the base of the spillway structure the measurement shall be made with the aid of an optical hand level (aka eye level), surveyor's level, or laser level. The licensee shall use these measurements and the outlet pipe to release any water collected to storage outside of the authorized season of

diversion specified in the license. Each measurement taken on or about the 1st of each month shall be documented by a date stamped digital photograph. The number of flashboards installed at the time of measurement shall also be documented with a date stamped digital photograph. The digital photographs shall be stored electronically by the Licensee and made available on request.

IV. MONITORING

For each monthly drawdown measurement the amount in storage shall be determined from Table 1, which provides the amount in storage in Watusi Lake (in acre-feet) based on reservoir level below the top of the flashboards (drawdown) in 1-inch increments.

Based on the measurement made at the beginning of the diversion season (October 1), the Licensee shall determine the amount in storage from Table 1. If the amount in storage on October 1 is less than 13.2 acre-feet, the Licensee shall add 30 acre-feet to this amount and shall determine from Table 1 the appropriate flashboard setting that will result in the collection of no more than 30 acre-feet during the ensuing diversion season. The Licensee shall set boards to the appropriate level no later than October 15.

If the amount in storage on October 1 is 13.2 acre-feet or greater, the level of flashboards to be installed in the spillway structure shall be no greater than Elevation 297.5.

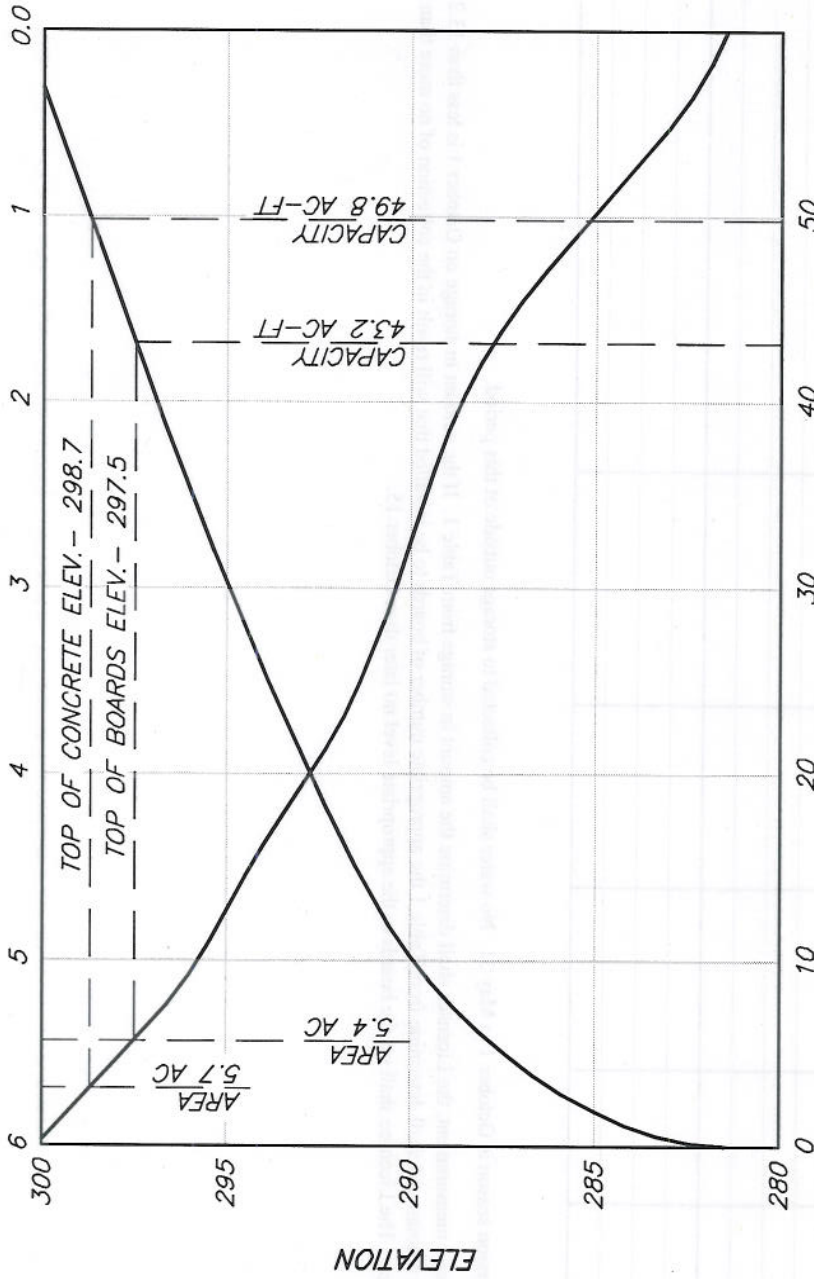
The Licensee shall measure the reservoir drawdown on or about the 1st of each month. The drawdown measurement and corresponding amount-in-storage (per Table 1) shall be entered into the log form provided as Attachment C.

In years when the flashboards are installed at a level less than Elevation 297.5, the amount in storage shall be determined from Table 1 with due consideration of the difference between Elevation 297.5 and the elevation of the top of flashboards installed.

V. REPORTING

After December 31 of each year the Licensee shall compute the monthly amount of water collected to storage as the difference between the current monthly reading and the previous monthly reading. If the current month is less than the previous month, a zero collection amount would be entered for that amount. These values shall be entered into the appropriate cells in the SWRCB's on-line annual Report of Licensee (ROL) form for the monthly amounts diverted to storage. The ROL shall be completed on-line no later than June 30 in the year following the year of reporting (i.e. the ROL for 2012 shall be completed no later than June 30, 2013). Each year, a copy of Attachment C and the digital photographs taken with each monthly measurement shall be attached to the ROL form.

AREA IN ACRES



CAPACITY IN ACRE-FEET

AREA/CAPACITY CURVES

ATTACHMENT B

WATUSI LAKE
SAFARI WEST WILDLIFE PRESERVE

SONOMA COUNTY, CALIFORNIA
Wagner Bonsignore
Consulting Civil Engineers, A Corporation

Water Right License 7349 (Application 18192)⁽¹⁾
 Watasi Lake Operations Log
 Water Year 20_____

Date ⁽²⁾	Reservoir Drawdown		Amount In Storage (acre-feet)	Number of Boards Installed ⁽²⁾	Notes, Actions Taken
	(nominal)	By: Measurement (inches)			
1-Oct					
1-Nov					
1-Dec					
1-Jan					
1-Feb					
1-Mar					
1-Apr					
1-May					
1-Jun					
1-Jul					
1-Aug					
1-Sep					

Notes:

- The authorized diversion season is October 1 to May 31. No water shall be collected to storage outside of this period.
- Based on the October 1 measurement, the Licensee shall determine the amount in storage from Table 1. If the amount in storage on October 1 is less than 13.2 acre-feet, the Licensee shall add 30 acre-feet to this amount and shall determine from Table 1 the appropriate number of boards to be installed that will result in the collection of no more than 30 acre-feet during the ensuing diversion season. The Licensee shall set the boards to the appropriate level no later than October 15.

TABLE 1
Watusi Reservoir
Storage Volume at Spillway Drawdown Level⁽¹⁾

Drawdown (in)	Storage Volume (AF)	Drawdown (in)	Storage Volume (AF)	Drawdown (in)	Storage Volume (AF)
0	43.2	40	25.5	80	10.4
1	42.6	41	25.1	81	10.0
2	42.1	42	24.7	82	9.7
3	41.7	43	24.3	83	9.3
4	41.2	44	23.9	84	9.0
5	40.7	45	23.5	85	8.6
6	40.3	46	23.1	86	8.3
7	39.8	47	22.7	87	7.9
8	39.3	48	22.3	88	7.6
9	38.9	49	22.0	89	7.2
10	38.4	50	21.6	90	6.9
11	38.0	51	21.2		
12	37.5	52	20.8		
13	37.1	53	20.4		
14	36.6	54	20.0		
15	36.2	55	19.6		
16	35.7	56	19.2		
17	35.3	57	18.9		
18	34.8	58	18.5		
19	34.4	59	18.1		
20	34.0	60	17.7		
21	33.5	61	17.3		
22	33.1	62	17.0		
23	32.7	63	16.6		
24	32.2	64	16.2		
25	31.8	65	15.8		
26	31.4	66	15.5		
27	30.9	67	15.1		
28	30.5	68	14.7		
29	30.1	69	14.4		
30	29.7	70	14.0		
31	29.2	71	13.6		
32	28.8	72	13.3		
33	28.4	73	12.9		
34	28.0	74	12.5		
35	27.6	75	12.2		
36	27.2	76	11.8		
37	26.8	77	11.5		
38	26.4	78	11.1		
39	25.9	79	10.7		

(1) Based on topographic map by Curtis & Associates dated 11/17/2010.
drawdown is at Elevation 297.5 (6 boards in the spillway structure).

"0"

