



**SUPPLEMENT TO APPLICATION**

(This supplement is required for uses other than irrigation, domestic, stockwatering, and recreation and for surface storage of 25 acre-feet or more.)

**5. JUSTIFICATION of AMOUNT**

e. MUNICIPAL: Estimated projected use:

POPULATION 5-year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use per capita (gal.)	Rate of Diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total Acre-feet
Present						
19						
19						
19						
19						

Month of maximum use during year \_\_\_\_\_ . Month of minimum use during year \_\_\_\_\_ .

Is it planned to individually meter each service connection? YES  NO  . If so, when? \_\_\_\_\_

f. HEAT CONTROL: The total area of heat protection is \_\_\_\_\_ acres. Type of crop protected \_\_\_\_\_  
(net acreage)

Rate at which water is applied to use: \_\_\_\_\_ (gpm) (cfs) (circle one)

The heat protection season will begin about \_\_\_\_\_ (beginning date) and end about \_\_\_\_\_ (ending date)

g. FROST PROTECTION: The total area of frost protection is \_\_\_\_\_ acres. Type of crop protected \_\_\_\_\_  
(net acreage)

Rate at which water is applied to use: \_\_\_\_\_ (gpm) (cfs) (circle one)

The frost protection season will begin about \_\_\_\_\_ (beginning date) and end about \_\_\_\_\_ (ending date)

h. INDUSTRIAL USE: Type of industry \_\_\_\_\_

Basis of determination of amount of water needed \_\_\_\_\_

i. MINING: The name of the mine is \_\_\_\_\_ Patented  or Unpatented  .  
(name of claim)

The nature of the mine is \_\_\_\_\_ . Mineral to be mined is \_\_\_\_\_

Type of milling or processing \_\_\_\_\_

After use, the water will be discharged into \_\_\_\_\_ (name of stream)

in \_\_\_\_\_ of Sec. \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B.&M.  
(state 40-acre subdivision)

j. POWER USE: The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_  
(cubic feet per second x fall ÷ 8.8)

The use to which power is to be applied is \_\_\_\_\_ . The nature of the works by means of which  
(for distribution and sale or private use, etc.)

power is to be developed is \_\_\_\_\_ . The size of the nozzle to be used is \_\_\_\_\_ inches.  
(Turbine, Pelton wheel, etc.)

After use, the water will be discharged into \_\_\_\_\_ (name of stream) in \_\_\_\_\_ (state 40-acre subdivision) of

Sec. \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B.&M.

k. OTHER: Describe use: \_\_\_\_\_ . Basis of determination of amount of water needed: \_\_\_\_\_

**6. DIVERSION WORKS (Storage Reservoirs)**

The following applies to storage reservoirs having a capacity of 25 acre-feet or more:

Diameter of outlet pipe (inches)	Length of outlet pipe (feet)	Vertical distance between entrance and exit of outlet pipe (feet) Fall	Vertical distance from spillway to outlet pipe in reservoir (feet) Head	Estimated storage below outlet pipe entrance (Dead storage)

Water will be pumped from the reservoir.

ATTACHMENT TO APPLICATION TO APPROPRIATE WATER

During the period when the Delta is out of control, water will be stored within Webb Tract. During times of low flow in the months of May, June, July and August the water which has been stored will be pumped back into False River and sold to a public water agency for beneficial use. For years the levee which surrounds the island has been in place for the sole purpose of keeping water from entering the island. We will continue to maintain the levee for that purpose, but additionally, we will reinforce the levees to withstand an outward force and provide wave erosion protection on the inside levee slope.

- 3b. The point of diversion described is a new high volume inlet structure to be located along False River. This point has been described using the California Coordinate System (Zone 3) in order to locate the point as accurately as possible. Section lines have been projected in order to identify the 40-acre parcel.

There are numerous existing siphons located around the perimeter of the island. Some of these siphons will be used for flooding purposes.

- 3c. The applicant has a recorded option to purchase the property at the new point of diversion.
- 4a. The quantity of storage available within the island assuming a maximum water surface elevation of 4 feet and the 1978 topography as shown on the USGS quadrangles is 91,120 acre-feet. In order to account for subsidence and bank storage within the island soils it has been assumed that an additional 3 feet can be stored over the entire island surface area of 5,260 acres providing an additional 15,780 acre-feet.

The total quantity applied for under this application is 106,900 acre-feet.

5. Applicant proposes to make the water of this application available to the State Water Project or the Central Valley Project.
7. The place of use will be the service area of the State Water Project as shown on maps filed for Application 5630 and the service area of the Central Valley Project as shown on maps filed with Applications 5626, 9363, 9364, 9366, 9367, 9368, 13370, 13371 and 22316. All of these maps are within the files of the State Water Resources Control Board.
- 9c. Informal discussions have taken place with several employees of the Department of Fish and Game, including James D. Messersmith. They have suggested that the matter of fish and wildlife impacts be determined at a later date.
- 9d. The following agencies will be contacted in order for them to make a determination as to permit requirements.
  - Reclamation District No. 2026
  - Contra Costa County Building Department
  - California State Department of Fish & Game
  - Regional Water Quality Control Board
  - Corps of Engineers

**9. GENERAL**

- a. What is the name of the post office most used by those living near the proposed point of diversion? Oakley
- b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES  NO . If Yes, state name of subdivision \_\_\_\_\_ If No, is subdivision of these lands contemplated? YES  NO . Is it planned to individually meter each service connection? YES  NO . If Yes, when? \_\_\_\_\_
- c. Have you consulted the California Department of Fish and Game concerning this proposed project? YES  NO . If Yes, state the Department's opinion concerning the potential effects of your proposed project on fish and other wildlife and state measures required for mitigation See Attachment
- If No, state the effects on fish and other wildlife you foresee as potentially arising from your proposed project. \_\_\_\_\_
- d. Please name other public agencies, if any, from which you have obtained or are required to obtain approvals regarding this project: See Attachment
- e. What are the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion? Unknown
- f. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? Yes

**10. EXISTING WATER RIGHT**

Do you claim an existing right for the use of all or part of the water sought by this application? YES  NO

If yes, complete table below

Nature of Rights (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

**11. AUTHORIZED AGENT (Optional)**

With respect to:  All matters concerning this water right application,  those matters designated as follows: \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Zip Code: \_\_\_\_\_ (Telephone No. of agent between 8 a.m. and 5 p.m.)

is authorized to act on my behalf as my agent.

**12. SIGNATURE of APPLICANT**

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

Dated July 1, 19 87, at Sacramento, California

BEDFORD PROPERTIES

Mr.

Miss, Mrs.

John L. Winther  
 (Signature of applicant) (Refer to Section 671 of the Board's regulations)  
 John L. Winther

If applicants are members of the same family (i.e., husband, wife, mother, father, son, brother, sister, etc.) or reside at the same address, please indicate their relationship:

Ms. Mr.

Miss, Mrs.

(Signature of applicant) (Refer to Section 671 of the Board's regulations)

Additional information needed for preparation of this application may be found in the leaflet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross reference all remarks to the numbered item to which they may refer. Send application in duplicate to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95810, with \$100 minimum filing fee.



GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, 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 project by another agency, we must consider it. If one has not been prepared, determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are to aid us in that determination.

2. Contact your county planning or public works department for the following information:

(a) Assessor's Parcel No. See Attachment

(b) County Zoning Designation See Attachment

(c) Will the county have to issue any permits or approvals for your project? Yes If yes, check appropriate spaces below:

     Grading Permit, X Use Permit,      Watercourse  
Obstruction Permit,      Change of Zoning,      General Plan  
Change,      Other:     

(d) If any permits have been obtained list permit type and permit number:     

(e) Person contacted Donna Allen Date of contact     

Department Planning Telephone (415) 372-2021

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

Permit type See Attachment

Person contacted      Agency     

Date of contact      Telephone ( )     

4. Has your agency, if it is a public agency, or any permitting agency prepared any environmental documents for your project? No  
If so, you must submit a copy of the latest environmental document with this application, including a copy of the notice of determination.

If not, will any environmental documents be prepared by any permitting agency, or will you be preparing environmental documents for your project? -- If so, explain: An EIR will likely be required by the permitting agencies.

Note: When completed, the final environmental document (including notice of determination) or notice of exemption must be submitted to the Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, 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: See Attachment

If you answered 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 project?       
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? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area? No If so, explain: \_\_\_\_\_

ENVIRONMENTAL SETTING

7(a) Describe the current land use of the area at the point of water diversion, immediately downstream of the diversion, and at the place where the water is to be used. Attach photographs of these areas. Date and label photos.

Point of diversion: Levee and agricultural

Downstream of diversion: Levee and agricultural

Place of use: Service area of the State Water Project and Central Valley Project consisting of existing agricultural, municipal and industrial uses.

(b) Describe the types of existing vegetation at the point of diversion, immediately downstream of the point of diversion, and at the place where the water is to be used. These vegetation types should be shown in the photographs submitted.

Point of diversion: Minor amount of riparian growth along waterward slope of levee, weeds common to Delta on the landward slope of the levee and various crops on the agricultural land.

Downstream of diversion: Same as above.

Place of Use: varied

8. What changes in the project site and surrounding area will occur or are likely to occur because of construction and operation of your project? Include in your answer such things as approximate number and size/age of trees to be removed or areas of vegetation/brush removal; area or extent of streambed alteration, trenching, grading, excavation, plowing, or road, dam or building construction; etc. Consider all aspects of your project, including diversion structure, pipelines or ditches, water use, and changes at the place of use.

See Attachment

FISH AND WILDLIFE CONCERNS See Attachment

Contact your regional office of the State Department of Fish and Game (DFG) to obtain the information requested in questions 9 through 17 (see page 6 for address and telephone number):

9. Person contacted \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
10. According to the DFG representative, when did or when will a DFG representative visit the project site area? \_\_\_\_\_  
\_\_\_\_\_  
What is the name of the DFG representative who made or will make the inspection of the project site area? \_\_\_\_\_
11. According to the DFG representative, will this project require a Streambed Alteration Agreement? \_\_\_\_\_
12. According to the DFG representative, do any resident or migratory game or non-game fish species occur in the affected stream? \_\_\_\_\_  
If so, what species? \_\_\_\_\_  
\_\_\_\_\_  
What season of the year do they occur in the stream? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
13. According to the DFG representative, do any plants or animals which are (1) federally identified as candidate, threatened, or endangered; (2) state listed as rare, threatened, or endangered; or (3) listed by the DFG Natural Diversity Data Base, occur in the project area? \_\_\_\_\_  
Will they be impacted in any way by the project? \_\_\_\_\_  
If so, identify the species and explain how they will be impacted:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
14. Does the DFG representative expect that your project will have an adverse effect on any resident or migratory fish populations, any wildlife populations, or any rare or endangered plant or animal species? \_\_\_\_\_ If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
15. What measures relating to your project have been proposed by the DFG representative to protect fish, wildlife or endangered or rare species: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
16. Will you make changes in your project as recommended by DFG? \_\_\_\_\_

16. Will you make changes in your project as recommended by DFG? \_\_\_\_\_

If not, explain: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. If your application lists wildlife enhancement as a proposed use, what specific species or habitat type will be enhanced? \_\_\_\_\_

\_\_\_\_\_

According to the DFG representative, does your proposed project utilize a sound technique for the purpose of wildlife enhancement?

\_\_\_\_\_

EXISTING STORAGE OR DIVERSIONS

If you currently have an interest in any other water projects which store or divert water and this application requests additional water from the same watershed, answer the following additional question for each project:

18. Does the project have fish and wildlife protection requirements? \_\_\_\_\_

If so, list the permit number and specific protection requirements for each project: \_\_\_\_\_

\_\_\_\_\_  
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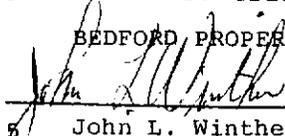
CERTIFICATION

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 July 1, 1987

Signature

BEDFORD PROPERTIES

  
John L. Winther

ATTACHMENT TO ENVIRONMENTAL INFORMATION

1. This project proposes to use Webb Tract as a storage reservoir which will also act as a seasonally flooded wetland for wildlife enhancement. Water will be stored during periods when the Delta is considered to be out of control and released during the summer months.

The construction which will occur will be that for a new high volume inlet structure and pumping station. Some of the existing siphons will be used to aid in the flooding of the island. Work on the inside face of exterior levees will be performed in order to provide adequate erosion protection.

Some minor dragging and rolling will be done before storage begins. This work will be less than that required to prepare fields for planting.

2a.	<u>Parcel No.</u>	<u>Parcel No.</u>
	026-080-004	026-060-016
	026-080-005	026-060-017
	026-080-006	026-060-018
	026-080-007	026-060-019
	026-080-008	026-070-001
	026-080-009	026-070-006
	026-060-003	026-070-010
	026-060-007	026-070-011
	026-060-008	026-070-012
	026-060-015	026-070-013

- 2b. Zoning Designation: All parcels are A-2 except for 026-060-003, which is in A-4.

3. At this time we are unsure as to what agencies will require permits. We will contact the following agencies in order for them to make a determination as to permit requirements.

Reclamation District 2026

Contra Costa County Building Department  
California State Department of Fish and Game  
Regional Water Quality Control Board  
U. S. Corps of Engineers

5. Eventually parcels will be sold with the expectation that clubhouse facilities will be built for recreational users. A certain amount of sewage will be generated accordingly, which will be disposed of in accordance with applicable codes.

8. In general, we will be converting the land use from mixed agricultural to seasonally flooded wetland. The following work will be accomplished:

The inside face of exterior levees will have soil added for erosion protection. All material to be used to reinforce external levees from the inside will be borrowed on site. A small amount of gravel topping or riprap, as required, will necessarily be imported. Those surfaces will be planted to species that will provide wave erosion protection, as well as wildlife cover. Existing fields that have been wind rowed for agricultural reasons, will be dragged and rolled, in an effort to minimize the trapping of water during drawdown. Certain interior drainage ditches will be improved for increased water flow and boat access. All of these earth moving and planting operations can be accomplished with less environmental impact than typical agricultural practice.

- 9 thru 17. Fish and Wildlife Concerns

Informal discussions have taken place with several employees of the Department of Fish & Game, including James D. Messersmith. They have suggested that the matter of fish and wildlife impacts be determined at a later date.