State Water Resources Control Board



Division of Water Rights

1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300 P.O. Box 2000 ♦ Sacramento, California 95812-2000 ♦ Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights ♦



NOTICE OF PETITIONS FOR CHANGE FOR LICENSES 9730, 4324A, 3827, AND 3800 (APPLICATIONS 21371, 13965A, 13473, AND 13322, RESPECTIVELY) TO DEDICATE WATER TO ENHANCE INSTREAM FISH HABITAT (WATER CODE SECTION 1707)

COUNTY: Marin STREAM SYSTEM: Lagunitas Creek

The U. S. National Park Service - Point Reyes National Seashore (Petitioner) has filed four petitions for change in place and purpose of use, pursuant to California Water Code Section 1707. The Petitioner proposes to dedicate water diverted under Licenses 9730, 4342A, 3827, and 3800 to instream use to enhance the flow of three creeks, Lagunitas, Olema, and an Unnamed Stream (aka Fish Hatchery Creek) located within Point Reyes National Seashore, for the benefit of fish, wildlife, and recreation. The dedication of two of the existing water right licenses (4342A and 9730) to instream use is part of the Giacomini Wetland Restoration Project (Project), which involves restoring ranchland to active floodplain or wetlands. All structural diversions have been or will be removed and there will be no construction or re-grading as a result of these petitions. The impacts of the Project are addressed in the *Final Giacomini Wetland Restoration Project Environmental Impact Statement/Environmental Impact Report (2007 (Giacomini EIS/EIR))*, on file at the Division of Water Rights. Any correspondence directed to the Petitioner should be mailed to Eric Lord, 1201 Oak Ridge Drive Ste 250, Fort Collins, CO 80525, or by email at Eric Lord@nps.gov.

Summary of License 9730 and petition for change:

Source:	Unnamed Stream (aka Fish Hatchery Creek) tributary to Tomales Bay thence the Pacific Ocean
Point of Diversion	Present: Within SE1/4 of SW1/4 of projected Section 26, T3N, R9W,
(POD):	MDB&M
	Proposed: POD to be abandoned
Amount and	Present: Maximum amount of 150 acre-feet per year as follows: direct
	diversion of 0.5 cubic feet per second (cfs) from May 30 to September 30
	of each year for irrigation and 7,800 gallons per day (gpd) from April 1 to
	May 30 and from October 1 to December 30 of each year for stockwatering
	Proposed: The entire licensed amount of appropriate water diverted for
	irrigation and stockwatering, pursuant to License 9730, will be dedicated to
	instream flow to benefit fish and wildlife resources and recreation from
	April 1 to December 30 of each year.
Purpose of Use:	Present: Irrigation and Stockwatering
	Proposed: Preserve and enhance fish and wildlife resources; recreation
	Present: 30 acres within SW1/4, Section 26, T3N, R9W, MDB&M
	Proposed: Stream segment from POD to the mouth of the Unnamed
	Stream (aka Fish Hatchery Creek) as highlighted in map submitted with
	the petition for change

Summary of License 4324A and petition for change:

Source:	Lagunitas Creek tributary to Tomales Bay thence the Pacific Ocean
PODs:	Present: POD 1 within SW¼ of NW¼ of projected Section 36; POD 2 within SW¼ of SE¼ and POD 3 within SE¼ of NE¼ of projected Section 25; all within T3N, R9W, MDB&M and POD 4 yet to be determined related to the report referred to in condition 1 of the Army Corps of Engineers' permit Proposed: all PODs will be abandoned
Amount and Season:	Present: Direct diversion of 2.0 cfs from May 1 to November 1 of each year Proposed: The entire licensed amount of appropriated water diverted for irrigation, pursuant to License 4342A, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from May 1 to November 1 of each year.
Purpose of Use:	Present: Irrigation Proposed: Preserve and enhance fish and wildlife resources; recreation
Place of Use:	Present: 312 acres within projected Sections 26, 35, and 36, T3N, R9W, MDB&M Proposed: Stream segment from the uppermost POD to mouth of creek, as highlighted in map submitted with the petition for change

Summary of License 3827 and petition for change:

Source:	Olema Creek tributary to Lagunitas Creek thence Tomales Bay thence the Pacific Ocean
PODs:	Present: POD 1 within NE¼ of SE¼ of projected Section 20, and POD 2 within SW¼ of SW¼ of projected Section 21, both within T2N, R8W, MDB&M Proposed: all PODs will be abandoned
Amount and Season:	Present: Direct diversion of 11,500 gpd from about March 15 to about October 15 for irrigation and throughout the year as required for domestic and stockwatering Proposed: The entire licensed amount of appropriated water diverted for irrigation, stock watering, and domestic use, pursuant to License 3827, will be dedicated to instream flow to benefit fish and wildlife resources and recreation from January 1 to December 31 of each year.
Purpose of Use:	Present: Irrigation, Domestic, Stockwatering Proposed: Preserve and enhance fish and wildlife resources; recreation
Place of Use:	Present: 0.75 acre within NE¼ of SE¼ of projected Section 20 and SE¼ of SW¼ of projected Section 21, all within T2N, R8W, MDB&M. Proposed: Stream segment from the uppermost POD to confluence with Lagunitas Creek, as highlighted in map submitted with the petition for change

Summary of License 3800 and petition for change:

Source:	Olema Creek tributary to Lagunitas Creek thence Tomales Bay thence the Pacific Ocean
POD:	Present: Within SE1/4 of NW1/4 of projected Section 28, T2N, R8W, MDB&M
	Proposed: POD will be abandoned
Amount and	Present: Direct diversion of 13,000 gpd from January 1 to December 31 of
Season:	each year
	Proposed: 0.0170 cfs of appropriated water, which represents the
	licensed limit less current consumptive use by lessee, diverted for
	industrial and domestic use, pursuant to License 3800, will be dedicated to
	instream flow to benefit fish and wildlife resources and recreation from
	January 1 to December 31 of each year.
Purpose of Use:	Present: Domestic and Industrial
	Proposed : Preserve and enhance fish and wildlife resources; recreation
Place of Use:	Present: SE¼ of NW¼ and NE¼ of NW¼ of projected Section 28, T2N,
	R8W, MDB&M
	Proposed : Stream segment from POD to confluence with Lagunitas
	Creek, as highlighted on map submitted with petition for change

Project information, procedures for protesting and protest forms are available at: www.waterboards.ca.gov/waterrights. The contact person for this matter is Beth Glidewell at (916) 341-5426, or by e-mail at EGlidewell@waterboards.ca.gov.

Protests must be received by the Division of Water Rights by **4:30 p.m. on January 24, 2011**Date of Notice: December 23, 2010