

State Water Resources Control Board
DIVISION OF WATER RIGHTS
INITIAL STATEMENT OF WATER DIVERSION AND USE
 A STATEMENT SHALL NOT ESTABLISH OR CONSTITUTE EVIDENCE OF A WATER RIGHT
 READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM
 FURTHER INFORMATION CAN BE FOUND IN WATER CODE, SECTIONS 5100-5107

Page 1 of 3: INITIAL STATEMENT OF WATER DIVERSION AND USE DIVERTER NAME Reclamation District 999
 SOURCE/TRIBUTARY Sacramento River Deep Water Ship Channel DIVERSION WORKS NAME Upper Unit DWSC Pump

A. Diverter Information			
Diverter Name(s) Reclamation District 999			
Mailing Address 38563 Netherlands Road	City Clarksburg	State CA	Zip 95612
Phone Number 916-775-2144	Email Address (if available) recdist999@sprintmail.com		
Person Filing Statement (If Different From Diverter) Osha Meserve			
Mailing Address 1010 F Street, Suite 100	City Sacramento	State CA	Zip 95814
Phone Number (916) 455-7300	Email Address (if available) osha@semlawyers.com		
Land Owner Name			
Mailing Address			
City			
State			
Zip			
Mail Receiver <input checked="" type="radio"/> Diverter <input type="radio"/> Person Filing			
B. Signature and Important Information			
DATE: April <u>25</u> , 2016			
SIGNATURE:			
PRINTED NAME: <u>Osha</u> <u>R.</u> <u>Meserve</u> <small>(first name) (middle name) (last name)</small>			
I declare that the information in this report is true to the best of my knowledge and belief.			
Submit Form Electronically			
THE STATE WATER RESOURCES CONTROL BOARD MAY RELY ON THE NAMES AND ADDRESSES ON THIS DOCUMENT FOR MAILING NOTICES REGARDING PROCEEDINGS BEFORE THE BOARD. (Wat. Code, § 5106, subd. (b)(1).)			
SUPPLEMENTAL STATEMENTS OF WATER DIVERSION AND USE MUST BE FILED AT THREE-YEAR INTERVALS OR IF THERE IS A CHANGE IN THE NAME OR ADDRESS OF THE DIVERTER. (Wat. Code, § 5104.)			
THE MAKING OF A WILLFUL MISSTATEMENT ON A STATEMENT OF WATER DIVERSION AND USE IS A MISDEMEANOR PUNISHABLE BY A FINE NOT EXCEEDING \$1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO SIX MONTHS, OR BOTH. THE BOARD MAY IMPOSE CIVIL LIABILITY UPON A PERSON WHO KNOWINGLY MAKES A MATERIAL MISSTATEMENT ON THIS FORM. (Wat. Code, § 5107.)			

UPON COMPLETION OF THIS STATEMENT, ATTACH ALL SUPPORTING DOCUMENTATION AND MAPS AND MAIL TO:

State Water Resources Control Board
 Division of Water Rights
 PO Box 2000
 Sacramento, CA 95812-2000

Additional copies of this form, instructions on how to complete this form and water right information can be obtained at
http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/. Revised January 2014.

State Water Resources Control Board
DIVISION OF WATER RIGHTS

INITIAL STATEMENT OF WATER DIVERSION AND USE

A STATEMENT SHALL NOT ESTABLISH OR CONSTITUTE EVIDENCE OF A WATER RIGHT
 READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM
 FURTHER INFORMATION CAN BE FOUND IN WATER CODE, SECTIONS 5100-5107

PAGE 2 OF 3: INITIAL STATEMENT OF WATER DIVERSION AND USE DIVERTER NAME Reclamation District 999
 SOURCE/TRIBUTARY Sacramento River Deep Water Ship Channel DIVERSION WORKS NAME Upper Unit DWSC Pump

1. Type of Claim													
Check the box(s) which describe the type of claim(s) under which you are diverting water.													
<input checked="" type="checkbox"/> Riparian <input checked="" type="checkbox"/> Pre-1914 <input type="checkbox"/> Court Decree <input type="checkbox"/> Pending Appropriative Application <input type="checkbox"/> Pueblo <input checked="" type="checkbox"/> Other: <u>North Delta Water Agency Contract</u>													
If you checked yes for Court Decree, Pending Appropriative Application or other, list the decree number, application ID or explanation:													
2. Water Course Description													
Water Course Name at the point of diversion Sacramento River Deep Water Ship Channel						Water Course is tributary to Sacramento River							
3. Legal Land Description													
Provide the location of the Point of Diversion using one of the following methods (check one box and enter coordinates, if applicable)													
<input checked="" type="checkbox"/> Latitude/Longitude Measurements: <u>38°29'59.51"N, 121°35'1.37"W</u> <input type="checkbox"/> California Coordinate System (NAD 1983): _____ <input checked="" type="checkbox"/> USGS Topographic Map with point of diversion labeled on map (if checked yes, please attach map)													
Assessor's Parcel Number(s), if assigned: APN 044-020-001						County Yolo							
Provide Public Land Description to nearest 40 acres (if assigned) _____ ¼ of the <u>SW</u> ¼ of Section <u>30</u> , Township <u>8N</u> , Range <u>4E</u> , B&M <u>MD</u>													
4. Place of Use Description													
Provide a general description of the area in which the water was used 423 acres for upper unit pump in Ship Channel													
Identify the location of the place of use on a specific United States Geological Survey (USGS) topographic map and on any other maps with identifiable landmarks. If assigned, provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number. (check box indicating each map attached)													
<input type="checkbox"/> USGS Topographic Map <input checked="" type="checkbox"/> County Assessor's parcel map													
5. Purpose of Use Description (Please select all that apply below)													
<input checked="" type="checkbox"/> Irrigation Number of Acres : 423			<input type="checkbox"/> Domestic Persons Served :			<input type="checkbox"/> Stock watering Number of stock and type:			<input checked="" type="checkbox"/> Other Please Explain: Salinity control, pre-irrigation				
6. Diversion Works Description													
Name of Diversion Works, if named Upper Unit DWSC Pump						Year in which diversion commenced (or specify nearest known year) 1/16/1867							
List any related existing water rights, if applicable (for example, an appropriative right using the same diversion works) A004099, P001890, L001302; see attachment													
Type of Diversion Facility (select one)													
<input type="checkbox"/> Gravity <input checked="" type="checkbox"/> Water Course Pump <input type="checkbox"/> Well Pump <input type="checkbox"/> Other (please specify) _____													
Do you directly divert water? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
Capacity of Direct Diversion Works (specify unit and amount) 7.58						Do you divert water to storage?							
<input checked="" type="checkbox"/> Cubic feet per second <input type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input type="checkbox"/> On-stream storage (Complete Section B) <input type="checkbox"/> Off-stream storage (Complete Sections A & B)							
A. Capacity of Storage Diversion Works (specify unit and amount) _____						B. Capacity of Storage Tank or Reservoir (specify unit and amount)							
<input type="checkbox"/> Cubic feet per second <input type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet							
7. Quantity of Water Diverted Note: Measurements must be made using best available technologies and best professional practices as listed in Section 8a unless documentation is provided to the State Water Resources Control Board that the implementation of those practices is not locally cost effective.													
Provide the quantity of water diverted each month in the table below as a measured in (check one box) <input type="checkbox"/> Gallons <input checked="" type="checkbox"/> Acre-feet													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2015	113.7	64.6	160.8	283.1	249.6	147.8	21.5	42.9	51.1	60.4	60.9	54.9	1311.3

CONTINUE TO PAGE 2

8. Measurement Device Description												
Method used to measure water diverted (select one)												
<input type="radio"/> Water directly diverted and/or diverted to storage was measured with a measuring device. (if checked, proceed to section 8a and skip section 8b)												
<input checked="" type="radio"/> Direct measurement using a device listed in Section 8a is not locally cost effective for water directly diverted and/or diverted to storage. (If checked, skip section 8a and proceed to section 8b).												
8a. Measuring Device												
Indicate the types of measuring devices used (check all that apply):												
<input type="checkbox"/> Propeller Meter <input type="checkbox"/> Sluice/Slide Gate <input type="checkbox"/> Acoustic Meter <input type="checkbox"/> Weir <input type="checkbox"/> Staff gage and storage capacity curve <input type="checkbox"/> Staff gage and floodable acreage <input type="checkbox"/> Pressure transducer and storage capacity curve <input type="checkbox"/> Other: _____												
Indicate any additional technology used (check all that apply and explain below):												
<input type="checkbox"/> Flow totalizer <input type="checkbox"/> Data Logger <input type="checkbox"/> Telemetry <input type="checkbox"/> Other: _____												
Indicate who installed your measuring device(s) (check all that apply):												
<input type="checkbox"/> Representative using manufacturer's recommendations <input type="checkbox"/> Licensed Civil or Agricultural Engineer <input type="checkbox"/> Representative who is American Water Works Association (AWWA)-certified <input type="checkbox"/> Hydrographer <input type="checkbox"/> Representative using United States Geological Survey (USGS) techniques <input type="checkbox"/> Other/Unknown: _____												
List the make, model number, and last calibration date of your measuring device(s), if available:												
8b. Explanation of why use of a measuring device is "not locally cost effective"												
Indicate why you concluded that direct measurement using a device listed in Section 8a is not locally cost effective (check all that apply)												
<input type="checkbox"/> Diversion is small or minimal in size <input type="checkbox"/> Diversions are infrequent <input type="checkbox"/> Ungauged Siphon <input type="checkbox"/> No power at diversion point <input checked="" type="checkbox"/> Other: <u>Special conditions, such as tidal influence, debris, and siphons make direct metering impractical.</u>												
Indicate method(s) used as an alternative to direct measurement in order to complete this report (check all that apply)												
<input type="checkbox"/> Electricity records dedicated to the pump <input type="checkbox"/> Total facility electricity records minus estimated non-pump electricity <input type="checkbox"/> Engine fuel use or hour meter records <input checked="" type="checkbox"/> Crop duty estimates/consumptive use estimates <input type="checkbox"/> Power generation estimates <input type="checkbox"/> Other water duty estimates other than for crops <input type="checkbox"/> Modeled/estimated flows <input type="checkbox"/> Remote satellite imaging <input type="checkbox"/> Pipe/trajectory method <input type="checkbox"/> Bucket and stopwatch <input type="checkbox"/> Float and stopwatch <input type="checkbox"/> Other: _____												
Explain your measurement alternatives:												
The most practical and reliable way to determine water use is by using ITRC to support an estimate.												
9. Maximum Rate of Diversion (if available)												
Provide the maximum rate of diversion achieved in each month as measured in (check one box) <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> gpd												
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2015	7.58	7.58	7.58	7.58	7.58	7.58	7.58	7.58	7.58	7.58	7.58	7.58
10. Recent Water Use												
Provide the annual water use in recent years:		Maximum					<input type="checkbox"/> Gallons <input checked="" type="checkbox"/> Acre Feet					
		Minimum					<input type="checkbox"/> Gallons <input checked="" type="checkbox"/> Acre Feet					
11. Water Conservation Efforts (answer only sections applicable to your diversion)												
<u>Water Conservation:</u> Are you currently employing any methods of water conservation?										<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No
If yes, describe any water conservation efforts in use:												
Good farming practices. Excess water is returned to the Delta Pool for use by other water users.												
<u>Water Quality and Wastewater Reclamation:</u> 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?										<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
<u>Conjunctive use of surface water and groundwater:</u> Are you using groundwater in lieu of surface water?										<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No

END OF INITIAL STATEMENT FORM

Sign and Submit Form

Save Form (submit later)

**State Water Resources Control Board
DIVISION OF WATER RIGHTS
INITIAL STATEMENT OF WATER DIVERSION AND USE**

**ATTACHMENT TO 6
Diversion Works Description**

List any related existing water rights, if applicable:

RD 999 is the owner and operator of the system that delivers riparian and pre-1914 rights to the land within its service area as an agent acting in trust on behalf of its landowners, separate from its public use responsibilities. RD 999 also holds licenses 1301, 1302, 1303, 1304, and Applications A001666, A004099, A004100, A004101 respectively, which also serve the water needs of the District. The Contract between the State of California Department of Water Resources and North Delta Water Agency dated January 28, 1981 also requires the provision of a dependable water supply of suitable quality by the California Department of Water Resources to lands within the District.

Reclamation District RD#999 Upper Unit Service Area



Legend

 Reclamation District # 999 Service Area



YOLO COUNTY | GIS PUBLIC VIEWER



POD: 38°30'13.26"N,
121°34'58.33"W



Legend

- Parcel Pages
- Parcels
- World Imagery

PATENT INFORMATION

APN 044-020-001
 SLS 771 Yolo
 Book 3, Page 83
 1/16/1867

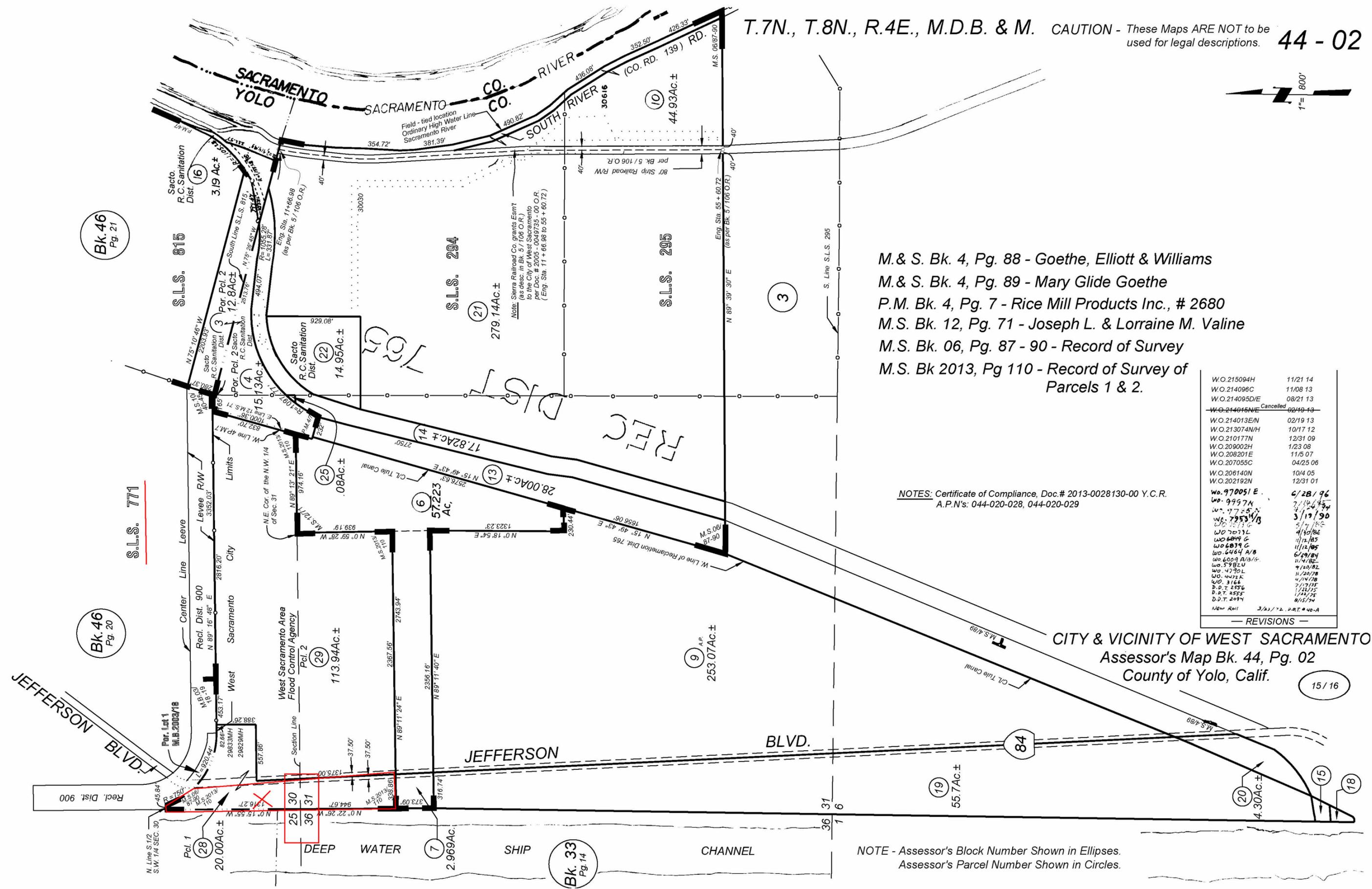
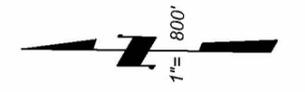
THIS MAP IS NOT TO BE USED FOR NAVIGATION



Scale 1: 6,932

This report is a user generated static output from the Yolo County General Services GIS Viewer and is for reference only

Data sources: Yolo County, FEMA, Agricultural Dept, US Census, ESRI



M. & S. Bk. 4, Pg. 88 - Goethe, Elliott & Williams
 M. & S. Bk. 4, Pg. 89 - Mary Glide Goethe
 P.M. Bk. 4, Pg. 7 - Rice Mill Products Inc., # 2680
 M.S. Bk. 12, Pg. 71 - Joseph L. & Lorraine M. Valine
 M.S. Bk. 06, Pg. 87 - 90 - Record of Survey
 M.S. Bk 2013, Pg 110 - Record of Survey of
 Parcels 1 & 2.

NOTES: Certificate of Compliance, Doc.# 2013-0028130-00 Y.C.R.
 A.P.N's: 044-020-028, 044-020-029

W.O.215094H	11/21 14
W.O.214096C	11/08 13
W.O.214095D/E	08/21 13
W.O.214015N/E	Cancelled 02/10 13
W.O.214013E/N	02/19 13
W.O.213074N/H	10/17 12
W.O.210177N	12/31 09
W.O.209002H	1/23 08
W.O.208201E	11/5 07
W.O.207050C	04/25 06
W.O.206140N	10/4 05
W.O.202162N	12/31 01
W.O.970051E	6/28/96
W.O.9997N	7/14/94
W.O.9725N	4/14/94
W.O.7953 1/3	3/17/90
W.O.7113G	5/7/85
W.O.7077L	4/30/86
W.O.6899G	11/12/85
W.O.6839G	11/12/85
W.O.6464 A/B	6/29/84
W.O.6009 A/B/S/S	9/23/82
W.O.5982U	11/20/78
W.O.4790L	11/14/78
W.O.4472K	7/17/75
W.O.3164	1/22/75
D.D.T. 2554	1/22/75
D.D.T. 2553	8/15/74
D.D.T. 2094	

Map Roll 3/21/72, P.O.T. # 40-A

REVISIONS

CITY & VICINITY OF WEST SACRAMENTO
 Assessor's Map Bk. 44, Pg. 02
 County of Yolo, Calif.

NOTE - Assessor's Block Number Shown in Ellipses.
 Assessor's Parcel Number Shown in Circles.

UNITED STATES OF AMERICA—STATE OF CALIFORNIA.

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:

WHEREAS, under the provisions of an Act of Congress of the United States, approved the twenty-eighth day of September, A. D. one thousand eight hundred and fifty, entitled "An Act to enable the State of Arkansas, and other States, to reclaim swamp lands within their States," in which Act the manner of surveying and setting apart swamp and overflowed lands is fully set forth; And Whereas, in accordance with the provisions of the Act of Congress, the title of which is above recited, the Legislature of the State of California, on the twenty-eighth day of April, A. D. one thousand eight hundred and fifty-five passed an Act entitled "An Act to provide for the sale of swamp and overflowed lands belonging to this State," and on the twenty-first day of April, A. D. one thousand eight hundred and fifty-eight, passed an Act entitled "An Act to provide for the sale and reclamation of the swamp and overflowed lands of this State," and on the eighteenth day of April, A. D. one thousand eight hundred and fifty-nine, an Act supplementary thereto, and on the twenty-seventh day of April, A. D. one thousand eight hundred and sixty-three, passed an Act entitled "An Act to provide for the sale of certain lands belonging to the State," which Act recites the location and disposal of a portion of the swamp and overflowed lands donated to the State of California by the Act of Congress, the title of which is above recited; And Whereas, it appears by the certificate of the Register of the State Land Office, Number 269, bearing date January 10th 1865, that the provisions of said last named Act, that to the said lands, that have been fully surveyed by the County Treasurer, that \$3000.00 has been paid to the State of California, in full payment for three hundred and nineteen acres of swamp and overflowed lands, situated in Yuba County, and described as follows, to-wit: Section No. 34, Twp. 29 N. and Range No. 11 East, Mount Diablo Meridian, bearing S 29° 29' 30" E, 1000 chains, and 1/2 of S. E. 1/4 of Sec. 21, and 1/2 of S. E. 1/4 of Sec. 21, Surveyed in accordance with the provisions of the Act of April 21st, 1863, and more particularly described in the said survey as follows:

Beginning at the North West corner of the North East quarter of Section No. 21, Township No. 8 North, Range No. 11 East, Base and Meridian of Mount Diablo, and running, thence South 10000 chains; thence East 2000 chains to the West line of Survey No. 290; thence North 22° 29' chains; thence S 25° 00' E 1000 chains; thence West 1000 chains to the place of beginning. Containing 319^{1/2} acres. Shown by the True Meridian, Magnetic Variation 10° 10' East.

NOW, THEREFORE, all the requirements of the Act of Congress, as well as the Acts of the State Legislature, in relation to swamp and overflowed lands, having been fully complied with, I, Fred J. Low, Governor of the State of California, by virtue of authority to me vested, have granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell, and convey unto Wm. S. Curtis Jr. the above described lands, with the appurtenances thereunto belonging, to have and to hold, unto him, his heirs and assigns forever.

IN TESTIMONY WHEREOF, I, Fred J. Low, Governor of the State of California, have caused these letters to be made public, and the seal of the State of California to be hereunto affixed.

GIVEN under my hand, at the City of Sacramento, this 10th day of January, in the year of our Lord one thousand eight hundred and sixty-five.

Great Seal of State

Fred J. Low, Governor of State.

ATTEST: B. B. Redding, Secretary of State.

COUNTERSIGNED: J. P. Houghton, Register of State Land Office.

PATENT VOUCHER
~~XXXXXXXXXX~~ MISSING

No. 771

S&O SURVEYS YOLO LAND DISTRICT

REMARKS:

*Pat'd 1-16-1867
M. H. Curtis, Jr.
Book 3 pg 83*

Patent Jan 16. 1867

Swamp and Overflowed Lands

Yalo County.

Survey No. 771

Township 8 N

Range 4 East

Section fraction of N or 1/4 of N or 1/4 of 29
+ the N or 1/4 of 1/4 of N or 1/2 of N or 1/4 of
SE 1/4 of 30 or NW 1/4 of SE 1/4 of 31

Filed July 3 1865

Containing 219.78 Acres

Surveyed for S. B. Curtis Jr.

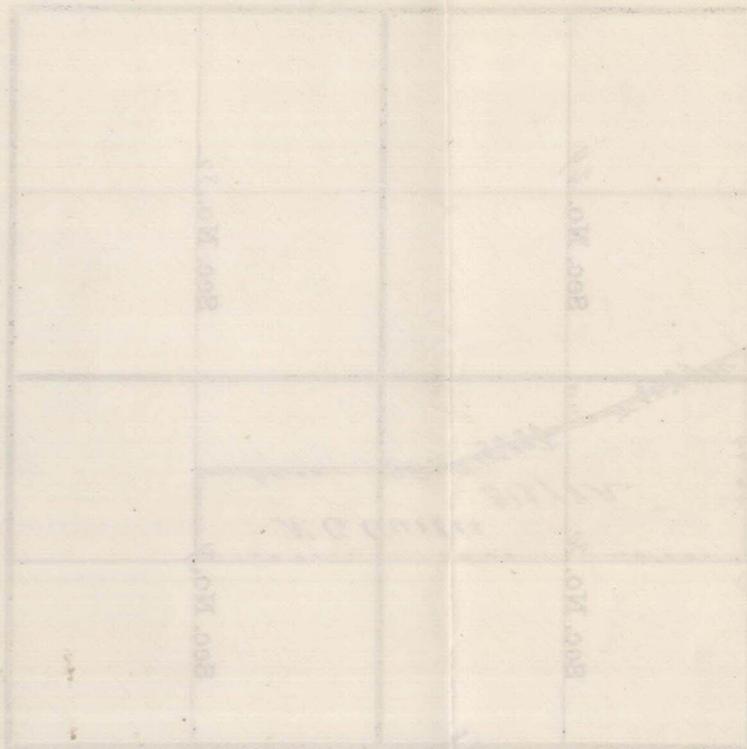
By Amos Nash
County Surveyor.

Rec'd and Filed Oct. 2nd. 1865

Approved November 2 1865

J. F. Doughton
Surveyor-General.

By A. S. Bond
Cpy

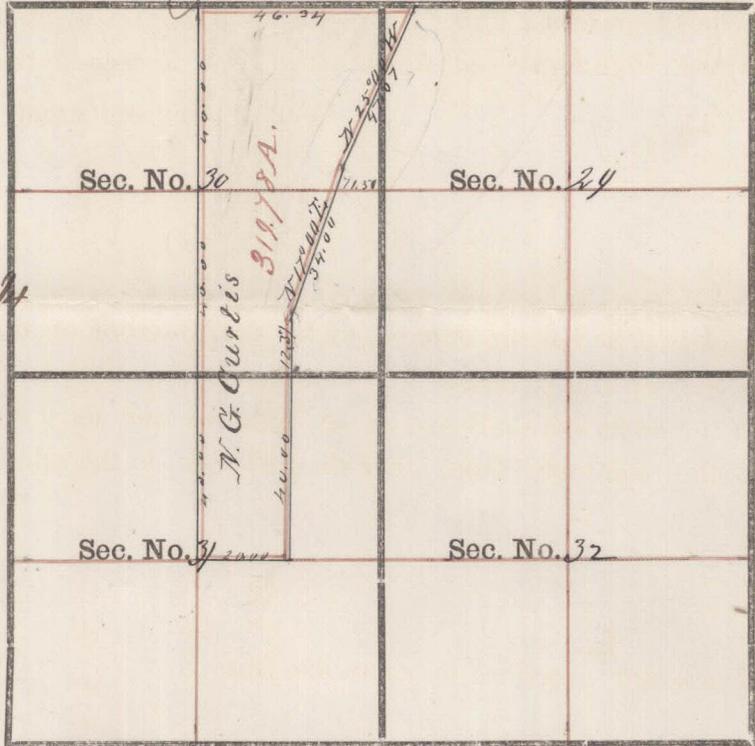


County Surveyor's Office,

Yuba County, Cal.

Swamp and Overflowed Lands.

Survey No. *1771*
 Township *8 North*
 Range *4 East*
 Section *fraction of NW 1/4 of NW 1/4 of 29 NE 1/4 of NW 1/4 and fraction of NE 1/4 of SE 1/4 of 30 the NW 1/2 of NE 1/4 of 30.*



Base and Meridian of Mount Diablo.
 Containing *319.78* Acres,
 Surveyed *adopted Sept 29th 1865*
 for *N. G. Curtis Jr.*

FIELD NOTES.

Beginning at the north west corner of the north east quarter of Section 30 running thence South 120.00 chains thence East 20.00 chains to the west line of Survey N. 294 thence North 52.37 chains thence N 25° W E 47.07 chains thence West 46.34 chains to the place of beginning containing 319.78 Acres.

Run by the true Meridian: Magnetic Variation *16° 10'* East.

Surveyed in accordance with the Act of the Legislature concerning State Lands, approved April 27, 1863, and the instruction of the Surveyor-General.

Patd 1-16-1867 to N. G. Curtis Jr. Book 3, P 983

County Surveyor *Amos Matthews* *Yuba* County.

Certified to be a correct Copy of the Original Record in my Office.

Amos Matthews
 County Surveyor *Yuba* County.



A. G. Curtis Jr. of the County of *Gold*
being duly sworn, deposes and says he is

a citizen of the United States, and a resident of the State of California, of lawful age. That he wishes to purchase under the provisions of an Act to provide for the sale of certain lands belonging to the State, approved April 27th, 1863, a certain tract of Swamp and Overflowed Land in

Gold County, lying and situate *and being the N E 1/4 of Sec 30 & the W 1/2 of the S E 1/4 of Sec 30 and the W 1/2 of the N E 1/4 of Sec 31 Township 8 South Range 4 East and vacant fractions East thereof*

And that he has not entered, under the provision of any law of this State providing for the sale of Swamp and Overflowed or Tide Lands, any other lands, which, together with that now sought to be purchased, shall exceed six hundred and forty acres; and that he does not know of any legal or equitable claim, other than his own, to the said land.

A. G. Curtis Jr.

Sworn and subscribed to before me, this *9th* day of *July* 186*5*

Amos Chatham

Gold County, California. *Co Surveyor*

PLACE FOR
FIVE CENT
INTERNAL
REVENUE
STAMP.

Certified to be a correct copy of the original affidavit on file in my office.



Amos Chatham
County Surveyor.

I certify that this survey was not returned within the time specified by law because of the heavy growth of tule prevented my making the survey at an earlier period

Amos Chatham
Co Surveyor

AFFIDAVIT

To accompany Applications to purchase State Lands, as required by Act of Legislature,
passed April 27th, 1863.

I do solemnly swear, That I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, that I will bear true faith, allegiance, and loyalty to the said Constitution and Government, any ordinance or law of any State, Convention, or Legislature, or any rule or obligation of any society or association, or any decree or order from any source whatsoever to the contrary notwithstanding, and that I will support the Constitution of the State of California; and further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever, and that this oath is not taken for the purpose of acquiring title to, interest in, or possession of any land, in order that such title, interest, or possession, may be transferred to any person or persons to enable such person or persons to evade the provisions of any law of the State of California, or any regulation of the General Land Office at Washington.

A. G. Curtis Jr.

Subscribed and sworn to before me, this 14th

day of June 1863

Amos Trustees
Surveyor
Yolo Co



I Certify the above affidavit and indorsed description of land to
be true copies of the originals on file in the office of the
County Recorder.

Amos Trustees
County Surveyor.

