

MEMBER UNITS EXHIBIT NUMBER 103

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BASIC DOCUMENT FILE

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 22423 of Solvang Municipal Improvement District to Appropriate from Santa Ynez River Underflow, Application 22454 of Petan Company to Appropriate from Alisal Creek, and Application 22516 of Buellton Community Services District to Appropriate from Santa Ynez River Underflow, in Santa Barbara County

Decision 1338

DECISION APPROVING APPLICATIONS

Solvang Municipal Improvement District having filed Application 22423, Petan Company having filed Application 22454, and Buellton Community Services District having filed Application 22516 for permits to appropriate unappropriated water; protests having been received; a public hearing having been held before the State Water Resources Control Board on February 6 and 7, 1968; applicants and protestants having appeared and presented evidence; the evidence received at the hearing having been duly considered, the Board finds as follows:

1. Application 22423 is for a permit to appropriate 5 cubic feet per second (cfs) by direct diversion from January 1 to December 31 of each year for municipal purposes from Santa Ynez River underflow in Santa Barbara County. The point of diversion is located within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 21, T6N, R31W, MDB&M.

Application 22454 is for a permit to appropriate 2,342 acre-feet per annum (afa) by storage from November 1 of each year to June 1 of the succeeding year for domestic, irrigation, stockwatering, and recreational purposes from Alisal Creek in Santa Barbara County. The point of diversion is to be located within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 4, T5N, R31W, MDB&M.

Application 22516, as amended, is for a permit to appropriate 3.1 cfs by direct diversion from January 1 to December 31 of each year for municipal purposes from Santa Ynez River underflow in Santa Barbara County. The point of diversion is located within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 7, T6N, R31W, MDB&M.

2. Protestant United States Bureau of Reclamation (Bureau) has been issued permits for the Cachuma Project on the Santa Ynez River, which supplies water to protestants Goleta County Water District, Summerland County Water District, City of Santa Barbara, Carpinteria County Water District, and Montecito County Water District, all of which are outside the Santa Ynez River watershed. The Bureau has maintained a live stream in the Santa Ynez River below Cachuma Dam to provide percolation to the underground and surface flow to satisfy prior vested rights. Protestants claim that they will be injured to the extent that releases from Cachuma Dam would have to be increased to offset the diversions proposed by applicants.

3. The Santa Ynez River traverses the entire width of the southern part of Santa Barbara County, following a course slightly north of west for about 70 miles from Juncal Canyon just inside the Santa Barbara county line to the Pacific Ocean near the town of Surf. The drainage area of the river has a maximum width of about 15 miles and a total area of about 900 square miles. The climate of the area is typical Mediterranean type with wet winters during which about 85 percent of the total precipitation occurs, followed by dry summers; precipitation varies widely from season to season and from year to year.

4. Cachuma Dam of the Bureau is located about 46 miles upstream from the mouth of the river and has a drainage area of about 420 square miles. The United States Geological Survey has subdivided the area below Cachuma Dam into four geologic subareas which are described in U.S.G.S. Water Supply Paper 1107 "Geology and Water Resources of the Santa Ynez River Basin" (Staff Exh. 5). In downstream order they are the Santa Ynez subarea, the Buellton subarea, the Santa Rita subarea, and the Lompoc subarea.

5. The Santa Ynez River in the reach between Cachuma Dam and Robinson Bridge, where it enters the Lompoc subarea, flows over recent river channel deposits and the younger alluvium that range in width from a few hundred feet to about one mile and in thickness from 40 to 185 feet. The underflow of the river moves slowly through these deposits.

Because of the nature of these alluvial deposits, pumping during the summer season generally lowers the water table throughout the valley between Cachuma Dam and the Lompoc plain. However, a winter season of average precipitation and streamflow replenishes the unwatered gravels.

6. The Solvang Municipal Improvement District (Solvang) proposes to divert water from the underflow of the Santa Ynez River within the Santa Ynez subarea. Two wells are presently installed. The Petan Company (Petan) proposes to store water in a reservoir to be constructed on Alisal Creek, a tributary which joins the Santa Ynez River in the same subarea. The underflow of the river within the subarea is almost completely enclosed in the recent river channel deposits along the river.

The Buellton Community Services District (Buellton) diverts water by means of a well which is in the underflow of the Santa Ynez River in the Buellton subarea; in this subarea the river channel deposits lie along the river course and are nearly everywhere flanked by bodies of the younger alluvium.

7. A preliminary basic issue in this matter is the relative priorities of the diversions authorized to be made by the Bureau for the Cachuma Project under Decision D 886*

* Decision D 886 was adopted in 1958 by the State Water Rights Board, a predecessor of the State Water Resources Control Board.

and the diversions for which the applicants have requested authorization. Stated in common terms, the applicants contend the diversions authorized by Decision D 886 are subject to subsequent appropriations for use in the watershed of the Santa Ynez River under the watershed-of-origin protection concept and that Condition 11 in Decision D 886 so provides. The Bureau contends that Condition 11 subjects the diversions authorized by Decision D 886 only to diversions under prior vested rights and not to diversions under subsequent appropriations.

Condition 11 in Decision D 886 requires releases from Cachuma Dam sufficient, together with inflow from downstream tributary sources, to supply downstream diversions of the surface flow under vested prior rights and to maintain percolation and recharge of groundwater as would occur if the Cachuma Project were not in existence. The intent of the Board with regard to the relative priorities of the appropriations so conditioned and subsequent appropriations from the surface flow of downstream tributaries and from groundwater sources supplied by downstream percolation must be derived from numerous references in the decision. References to presently established rights and future developments based upon such rights (page 7), existing downstream rights (page 24), vested rights (page 31), and possibly others, provide some support for the conclusion that the Bureau's permits

were intended to have priority over all subsequent appropriations of either surface flow or groundwater. However, there are also references to the dependence of cities, towns and rural communities on waters produced by the Santa Ynez River for domestic purposes (page 5); indications by the Bureau that releases of water from the Cachuma Reservoir are intended to be sufficient to satisfy existing rights and replenish underground water, that increased groundwater use will require increased releases in order to maintain the stream and therefore the Bureau believes that the requirement for maintaining a live stream will assure water enough for future as well as present uses in the valley (page 8); the intention of the Bureau to release sufficient water past Cachuma Dam to maintain the groundwater basins and satisfy prior rights, the allowance of 1,400 acre-feet annually for these purposes, and recognition by the Bureau that greater future need will require increased releases or additional storage (page 22); the lack of need for detailed consideration of anticipated future groundwater requirements in the Santa Ynez River Valley as to do so would not affect the conclusions reached (page 23); the public policy to protect areas of origin and the obligation of the Board to condition appropriations in the public interest (page 29); the commitment by the United States to operate the Cachuma Project so as not to export water which is, or will be, required to maintain natural percolation below

Cachuma Dam (page 29); issuance of permits to the United States on the conditions indicated in the order will not conflict with the policy concerning protection to watersheds of origin (page 30); additional terms and conditions indicated in the decision for the protection of prior rights and in the public interest (page 30).

These references clearly indicate the Board concluded: that the Bureau had, in effect, agreed to release that portion of the unregulated flow required to satisfy vested rights to divert from the surface flow plus all unregulated flow that will percolate, which will progressively increase with increased use of the groundwater for future development in the watershed; that operation of the Cachuma Project by the Bureau as intended will provide a groundwater supply sufficient to permit additional diversions from groundwater for future development of the watershed without regard to whether such diversions will be technically classified as appropriations or extractions for use on overlying land; and that permit conditions should be included requiring, in accordance with substantive law, releases sufficient to supply diversions from surface flow under vested prior rights to the extent water would have been available from unregulated flow and also requiring, in the public interest, releases sufficient to maintain percolation from the stream channel as would occur from unregulated flow with whatever groundwater extractions are made for present and future needs in

the watershed. If the Board had concluded that only diversions under prior vested rights and no new or increased appropriations from groundwater for municipal use within the watershed should be permitted, some discussion of the subject would have been called for, there would have been no need to distinguish between releases to supply diversions from surface flow and percolation to groundwater, the reference to the public interest would not have been necessary, and the statement that the permits to be issued would not conflict with the area-of-origin protection concept would be patently erroneous.

Considering Decision D 886, including the order as a whole, it is concluded that the Board intended to grant permits for the Cachuma Project subject to prior vested rights to divert from the surface flow and also subject to all diversions supplied by percolation from the unregulated flow of the Santa Ynez River for use in the watershed without regard to the basis of right for such diversions. It follows that the Bureau's permits do not entitle it to object to the appropriations proposed by Solvang and Buellton.

8. Between November of 1946 and October of 1967 some water flowed past the 13th Street gage below the lowermost point of percolation in the Lompoc subarea and on into the ocean in every year but three. The average flow for this 21-year period past the gage was 35,900 afa. The water bearing

sands and gravels in the Santa Ynez, Buellton and Santa Rita subareas have been completely recharged, or nearly so, each year prior to the start of the irrigation season.

9. By a stipulation filed with the Board, the protest by C. H. Doty, Faye A. Doty, H. W. Mercer and Charlotte D. Mercer against the application of Buellton was withdrawn contingent upon inclusion of a provision in any permit or license issued, to which Buellton agreed. The protest by the City of Lompoc against the applications of Solvang and Petan was withdrawn by letter dated January 17, 1968, stating that the city does not protest or oppose the right of Solvang and Petan to appropriate reasonable and necessary amounts of water for use within the watershed of the Santa Ynez River. Therefore, the applications may be treated as unprotested except for the protests of the Bureau and of those who receive water from the Cachuma Project by contract with the Bureau. These protests against the applications of Solvang and Buellton are discussed in Paragraph 7 leaving for further consideration only the possible adverse effect of Petan's project on the Cachuma Project.

10. Petan proposes to store up to 2,342 acre-feet from November through May of each season from the flow of Alisal Creek. The actual quantities stored will fluctuate due to several variables such as streamflow, withdrawals and available storage capacity. As discussed in Paragraph 7,

the permits of the Bureau are prior to Petan's claim. The Bureau is required to release unregulated flow sufficient, together with inflow from downstream tributary sources, to supply prior downstream rights and maintain percolation. Therefore, storage by Petan of the flow of Alisal Creek will injure the Bureau only to the extent such flow contributed to the supply of those exercising prior rights and helped maintain percolation from the Santa Ynez River.

Paragraph 14 of Decision D 886 provides that releases of water from Cachuma Reservoir shall be made in such a manner as to maintain a live stream "consistent with the purposes of the project and the requirements of downstream users." The Bureau is releasing water from the Cachuma Reservoir whenever the flow at H Street is less than one cfs. Such releases are not required to supply downstream users above the Lompoc subarea because the streambed gravels would be restored to full capacity periodically by other tributary inflow below Cachuma Dam, which would otherwise waste to the ocean. Nevertheless, so long as the natural channel must be used for conveyance of water to the Lompoc subarea, releases must be made from the reservoir in excess of the amount necessary to satisfy prior rights.

Alisal Creek empties into the Santa Ynez River in the Santa Ynez subarea just above the stream gaging station at Solvang. Comparison of the runoff of Alisal Creek (Petan Exh. 1) with the flow of the river at Solvang (Staff Exh. 12) indicates that the flow in Alisal Creek varies with and is a small fraction of the flow in the Santa Ynez River. Water from Alisal Creek is

not required to maintain percolation into the subareas upstream from Lompoc because they refilled in years of normal runoff. Relatively small quantities of water from Alisal Creek percolate in the Lompoc subarea when there is flow from Alisal Creek into the Santa Ynez River and continuous flow in the river from Solvang to Lompoc. Although rights to groundwater in the Lompoc subarea include rights to water from Alisal Creek required for beneficial use under reasonable methods of diversion and use, the flow of Alisal Creek is not required to satisfy prior rights when it is wasting, in large part, to the ocean. Therefore, Petan may store the flow of Alisal Creek either when it would not reach the Lompoc subarea or would waste, in large part, to the ocean. The days during the proposed November 1 to June 1 storage season when such flows will occur and the rates of such flows will vary widely. Some outflow from the Santa Ynez River into the ocean occurred in 18 of 21 years between 1946 and 1967 and averaged 35,900 acre-feet, which indicates that in most years there will be some water from Alisal Creek which is wasting to the ocean. However, even in the years of relatively high runoff from the Santa Ynez watershed, there will be intermittent periods during the November 1 to June 1 season when a substantial portion of the flows of the Santa Ynez River and Alisal Creek percolate in the Lompoc subarea.

11. Sufficient information is not available to finally determine the terms and conditions in a permit issued to Petan which will reasonably protect vested rights without

resulting in waste of water. Jurisdiction was reserved in Decision D 886 until February, 1973, to determine the amounts, times, and rates of releases of water past Cachuma Dam that will be required to satisfy downstream rights. To make such determinations, it will be necessary to establish criteria for the flows of the Santa Ynez River that are sufficient to provide for downstream prior rights and maintain percolation. The same information is required to permit the formulation of conditions regarding release of water by Petan in the permit that will be issued to it. Therefore, jurisdiction to formulate such conditions will be retained in the permit issued, as hereinafter ordered, until the releases from the Cachuma Project are determined under the jurisdiction reserved in Decision D 886.

12. The quality of the water contained in the gravels of the Santa Ynez River and the younger alluvium becomes progressively poorer as the underflow moves downstream, as indicated by an increase in total dissolved solids (tds) in the water with distance downstream from Cachuma Dam. Although salt balance studies have not been made of the underflow of the river upstream from the Lompoc Plain, the use and reuse of this water increases the total dissolved solids and could degrade the water in storage to the point where it would be unusable by downstream entities. However, recharge to the underflow from precipitation and surface flow is of good quality, and the resulting dilution of the underflow may maintain a satisfactory water quality. This is illustrated at

well No. 6N/32W-17J2 where, after a wet year, tds decreases about 300 ppm (Staff 1).

The Lompoc subarea downstream is not only in overdraft quantitywise but also has an unfavorable salt balance. More salt, or tds, is being added to the groundwater system than is being removed. Two of the factors causing degradation of quality are the recycling of irrigation water and the migration of high-chloride and low-sulfate connate water from the older formations. Salt from irrigation return flow can be evaluated quantitatively; however, the amount of salts migrating from the older formations is difficult to evaluate.

When water levels are lowered in the Lompoc subarea and hydrostatic pressures decrease, connate water from the older formations migrates into the younger water-bearing aquifers. The rate of migration depends on the difference in hydraulic gradient between the fresh water aquifers and the connate water in the older formations (Staff 11).

The quantity of recharge from connate water has not been calculated in acre-feet. However, the operation of this basin may require the piezometric level in the aquifers to be maintained at a higher elevation than previously thought necessary to prevent unreasonable degradation because of the water from the connate formations (Staff 11). This factor was not taken into consideration in the hydrologic inventory of the Lompoc subarea which was submitted as USBR Exhibit 14. It is possible therefore that the 20,000 afa safe yield figure set

forth in USBR Exhibit 14 may be subject to revision by the users from the basin after consideration of the manner in which this basin may be operated to achieve maximum beneficial use of the waters within suitable water quality limits.

13. Unappropriated water is available to supply the applicants, and, subject to suitable conditions, such water may be diverted and used in the manner proposed without causing substantial injury to any lawful user of water.

14. The intended use is beneficial.

From the foregoing findings, the Board concludes that Applications 22423, 22454, and 22516 should be approved and that permits should be issued to the applicants, subject to the limitations and conditions set forth in the order following.

ORDER

IT IS HEREBY ORDERED that Application 22423 be, and it is, approved, and that a permit be issued to the applicant, subject to vested rights and to the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 5 cubic feet per second by direct diversion to be diverted from January 1 to December 31 of each year.

2. The maximum quantity herein stated may be reduced in the license if investigation warrants.

3. Complete application of the water to the proposed use shall be made on or before December 1, 1974.

4. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Resources Control Board until license is issued.

5. All rights and privileges under this permit, including method of diversion, method of use and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water and to carry out legally established water quality objectives.

6. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

IT IS FURTHER ORDERED that Application 22516 be, and it is, approved, and that a permit be issued to the applicant subject to vested rights and to the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 3.1 cubic feet per second by direct diversion to be diverted from January 1 to December 31 of each year.

2. The maximum quantity herein stated may be reduced in the license if investigation warrants.

3. Complete application of the water to the proposed use shall be made on or before December 1, 1974.

4. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Resources Control Board until license is issued.

5. All rights and privileges under this permit, including method of diversion, method of use and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water and to carry out legally established water quality objectives.

6. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

7. This permit is issued expressly subject to the terms of that certain stipulation, a copy of which is attached hereto, dated February 12, 1968, between the applicant, Buellton Community Services District, and C. H. Doty and Faye A. Doty, and H. W. Mercer and Charlotte D. Mercer, and placed on record in the office of the State Water Resources Control Board, in connection with Application 22516, to the extent that the provisions of the agreement relate to matters within the jurisdiction of the Board.

IT IS FURTHER ORDERED that Application 22454 be, and it is, approved, and that a permit be issued to the applicant subject to vested rights and to the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 2,342 acre-feet per annum by storage to be collected from about November 1 of each year to about June 1 of the succeeding year.

2. This permit does not authorize collection of water to storage outside the specified season to offset evaporation and seepage losses or for any other purpose.

3. The maximum quantity herein stated may be reduced in the license if investigation warrants.

4. Actual construction work shall begin on or before December 1, 1969, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

5. Said construction work shall be completed on or before December 1, 1971.

6. Complete application of the water to the proposed use shall be made on or before December 1, 1972.

7. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Resources Control Board until license is issued.

8. All rights and privileges under this permit, including method of diversion, method of use and quantity of

water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water and to carry out legally established water quality objectives.

9. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

10. Permittee shall release water from its reservoir into the Alisal Creek channel in such amounts and at such times and rates as will be sufficient, together with inflow from downstream tributary sources, to supply downstream diversions of the surface flow under vested prior rights to the extent water would have been available for such diversions from unregulated flow, and sufficient to maintain percolation of water from the stream channel as such percolation would occur from unregulated flow, in order that operation of the project shall not reduce natural recharge of groundwater from the Santa Ynez River.

Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel or provide other means satisfactory to the State Water Resources Control Board to comply with the preceding paragraph.

11. Permittee shall install and maintain measuring devices satisfactory to the Board in order that accurate measurement can be made of the quantity of water flowing into and out of said reservoir.

12. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees, and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

13. Construction of the dam shall not be commenced until the Department of Water Resources has approved plans and specifications.

14. The State Water Resources Control Board reserves continuing jurisdiction over this permit for a period of time not to exceed the date of issuance of license for the purpose of formulating or revising terms and conditions relative to proper releases for downstream use and recharge of groundwater, and for the purpose of coordinating terms and conditions of this permit with terms and conditions which have been or may be included in any permits issued to the United States Bureau of Reclamation to appropriate water from the Santa Ynez River system. The Board may, on its own motion or the request of any interested party, hold a hearing under the jurisdiction reserved in this paragraph separately or jointly with the hearing to be held under jurisdiction reserved in Permits 11308

and 11310 issued to the United States Bureau of Reclamation pursuant to Paragraph 13 of the order issued in Decision D 886 to determine amounts, timing and rates of release of water past Cachuma Dam for downstream use and recharge of groundwater.

Adopted as the decision and order of the State Water Resources Control Board at a meeting duly called and held at Sacramento, California.

Dated: May 1, 1969

KERRY W. MULLIGAN
Kerry W. Mulligan, Chairman

W. A. ALEXANDER
W. A. Alexander, Vice Chairman

NORMAN B. HUME
Norman B. Hume, Member

E. F. DIBBLE
E. F. Dibble, Member

RONALD B. ROBIE
Ronald B. Robie, Member

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State of California - Resource Agency
STATE WATER RIGHTS BOARD
Room 1140, Resources Building
1416 - 9th Street
Sacramento, California 95814
STATE WATER RESOURCES CONTROL BOARD
SACRAMENTO

STIPULATION, APPLICATION NO. 22516

It is hereby stipulated by and between the Buellton Community Services District through its attorney, James C. Talaga, and C. H. Doty and Faye A. Doty, and H. W. Mercer and Charlotte D. Mercer, through their attorney, Arden T. Jensen, as follows:

1. Buellton Community Services District hereby recognizes any riparian water rights, appropriative water rights under License No. 1313 (application 2394) belonging to C. H. Doty and Faye A. Doty and H. W. Mercer and Charlotte D. Mercer, as valid vested rights, prior in time and right to the appropriative rights claimed by the Buellton Community Services District, and its inhabitants, successors and assigns; and the Buellton Community Services District agrees not to interfere with, restrict or impair said water rights.

2. Buellton Community Services District agrees and consents that any order, permit or license issued to the District by the Division of Water Rights shall specifically provide that the rights of the District are subject to and subordinate to the rights of C. H. Doty, et ux, and H. W. Mercer, et ux, as defined above.

3. C. H. Doty, et ux, and H. W. Mercer, et ux, hereby withdraw their protest heretofore filed against Application No. 22516 filed by the Buellton Community Services District.

Dated this 12 day of February, 1968.

BUELLTON COMMUNITY SERVICES DISTRICT

By James C. Talaga
Attorney for Buellton

C. H. DOTY, et ux, and H. W. MERCER,
et ux

By Arden T. Jensen

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Application 22423 of Solvang Municipal Improvement District to Appropriate from Santa Ynez River Underflow, Application 22454 of Petan Company to Appropriate from Alisal Creek, and Application 22516 of Buellton Community Services District to Appropriate from Santa Ynez River Underflow, in Santa Barbara County

ORDER AMENDING DECISION 1338

In Decision 1338, the Board ordered that a permit be issued pursuant to Application 22454 to store water with a condition (Paragraph 14) reserving jurisdiction to formulate conditions relative to releases for downstream uses and recharge of groundwater. The applicant requested that the Board reconsider its decision and proposed amending Decision 1338 by deleting Paragraph 14 of the order and revising Paragraph 10 to require releases under specified conditions. The Board ordered reconsideration of Decision 1338 as it relates to Application 22454. All interested parties were notified of the proposed amendment and given an opportunity to submit objections. The United States Bureau of Reclamation and the Santa Ynez River Water Conservation District responded; each advised the Board it did not object to the proposed amendment.

NOW, THEREFORE, IT IS ORDERED that Decision 1338 be amended by deleting Paragraph 14 of the order and revising

Paragraph 10 of the order to read:

"10. During the storage season November through May, the permittee shall determine and maintain a record of the quantity of water entering the reservoir based on a staff gage in the reservoir read weekly, and oftener during storm periods if practical.

"Beginning June 1, the permittee will release all water stored in the current storage season unless the inflow during any consecutive 30-day period of the storage season exceeded 150 acre-feet. If the inflow to the reservoir in any consecutive 30-day period exceeds 150 acre-feet, the permittee shall be entitled to retain all water entering the reservoir during the storage season.

"Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel or provide other means satisfactory to the State Water Resources Control Board to comply with the preceding paragraph."

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Santa Barbara, California.

Dated: October 16, 1969

KERRY W. MULLIGAN
Kerry W. Mulligan, Chairman

W. A. ALEXANDER
W. A. Alexander, Vice Chairman

NORMAN B. HUME
Norman B. Hume, Member

E. F. DIBBLE
E. F. Dibble, Member

RONALD B. ROBIE
Ronald B. Robie, Member