

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MICHAEL A.M. LAUFFER, Chief Counsel (SBN 178485)
ANDREW H. SAWYER, Assistant Chief Counsel (SNB 73580)
AMANDA PEARSON, Attorney III (SBN 268186)
Office of Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814
Tel: 916-341-5161
Fax: 916-341-5199

Attorneys for the State Water Resources Control Board

ENDORSED FILED
SAN MATEO COUNTY

SEP 27 2018
Clerk of the Superior Court
By MIRNA P. RIVERA-MARTINEZ
DEPUTY CLERK



SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

No. 355792 (Decree)

IN THE MATTER OF THE
DETERMINATION OF THE RIGHTS OF
THE VARIOUS CLAIMANTS TO THE
WATER OF SAN GREGORIO CREEK
STREAM SYSTEM IN SAN MATEO
COUNTY, CALIFORNIA

[PROPOSED] SUPPLEMENTAL
DECREE TO DECREE NO. 355792

1 Having received and fully considered the State Water Resources Control Board's Report
2 in support of Proposed Supplemental Decree to Decree No. 355792 of this court, and good cause
3 appearing therefrom, the court hereby orders the entry of the following supplemental decree.

4 SUPPLEMENTAL DECREE TO DECREE NO. 355792

5 1. Decree No. 355792 of the San Mateo County Superior Court in the proceeding entitled
6 "In the Matter of the Determination of the Rights of the Various Claimants to the Water
7 of San Gregorio Creek Stream System in San Mateo County, California," (January 29,
8 1993) (Decree) is hereby modified as set forth herein.

9
10 a. The riparian water right allotted by the Decree to August J. and Doris A. Repetto
11 shall be modified as follows:

- 12
13 i. On page 1-7 of Schedule 1 of the Decree, the purpose of use of the August
14 J. and Doris A. Repetto right shall include the dedication of water to
15 instream flows for fish and wildlife preservation and enhancement in
16 accordance with Water Code section 1707.
17
18 ii. On page 1-7 of Schedule 1 of the Decree, the place of use of the August J.
19 and Doris A. Repetto right shall include the segment of San Gregorio Creek
20 located between the point of diversion identified by the Decree as diversion
21 number 214, located by California Coordinate System of 1983, Zone 3,
22 North 1,946,880 feet and East 6,019,517 feet, being within SW ¼ of NE ¼
23 of projected Section 14, T7N, R5W, MDB&M (upstream limit), and the
24 point immediately upstream of the point of diversion identified by the
25 Decree as number 219D, located by California Coordinate System of 1983,
26 Zone 3, North 1,947,446 feet and East 6,018,229 feet, being within NE ¼
27
28

1 of NW ¼ of projected Section 14, T7N, R5W, MDB&M (downstream
2 limit).

3 iii. On page 5-7 of Schedule 5 of the Decree, the purpose of use of the August
4 J. and Doris A. Repetto right shall include the dedication of water to
5 instream flows for fish and wildlife preservation and enhancement in
6 accordance with Water Code section 1707.

7
8 iv. Use of water under this riparian right to provide instream flows for fish and
9 wildlife preservation and enhancement shall retain the same priority as use
10 of this right for irrigation.

11
12 b. Schedule 6 of the Decree is hereby amended to include the following post-1914
13 appropriative water right:

14

| APPLICATION | LICENSE | OWNER | USE | AMOUNT | SEASON |
|-------------|---------|-----------------------|----------|----------|-----------------------|
| 32701 | P 21384 | A. Repetto Nursery | I, FP, R | 14.1 afa | Dec. 15 – March 31 |

15
16
17

18 c. On page 6-1 of Schedule 6 of the Decree, the amount of the right identified as
19 Application 25877 and License L 12191 is confirmed to be 5.3 afa.
20
21

22
23 IT IS SO ORDERED:

24
25
26
27
28
DATE: _____

GEORGE A. MIRAM

JUDGE OF THE SUPERIOR COURT