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Agency Secretary

State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PETITION FOR CHANGE IN POINT OF DIVERSION

PERMIT: 20827 (APPLICATION 30159)
PETITION FILED: March 11, 2005

COUNTY: Los Angeles and San Bernardino
STREAM SYSTEM: Sheep Creek

Notice is hereby given that the Southern California Water Company (SCWC) filed a petition for change in the point of diversion for Permit 20827 (Application 30159) to add a new well. The State Water Resources Control Board (State Water Board) will determine whether an order approving the change in the point of diversion should be issued for permitted Application 30159, if so, whether conditions are needed in the permit to protect the environment, the public interest, and downstream water users. This notice provides a description of the project and also describes the procedure and time frame for submittal of protests against the petition. This notice may be viewed at the Division of Water Rights' (Division) website at www.waterboards.ca.gov. Any correspondence directed to the petitioners should be mailed to:

Southern California Water Company
c/o Russell M. McGlothlin
Hatch and Parent
21 East Carrillo Street
Santa Barbara, CA 93101

Description of Project:

The Petitioner filed a petition for change in the point of diversion for Permit 20827 to add a new well within a residential development located at the cross section of Acorn and Evergreen Streets in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 8, T3N, R7W, SBB&M to the permit.

Summary of Permit 20827 (Application 30159):

Counties: Los Angeles and San Bernardino.
Sources: Burford Canyon Underflow tributary to Unnamed Stream (aka Swarthout Creek),
thence Sheep Creek.
Flume Canyon Underflow tributary to Unnamed Stream (aka Swarthout Creek)
Acorn Canyon Underflow tributary to Unnamed Stream (aka Swarthout Creek)
Heath Canyon Underflow tributary to Unnamed Stream (aka Swarthout Creek)
Sheep Canyon Underflow tributary to Sheep Creek.

Points of

California Environmental Protection Agency



Diversion: Buford Well No. 2: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 12, T3N, R8W, SBB&M
 Buford Well No. 5: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 12, T3N, R8W, SBB&M
 Bobolink Well: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 7, T3N, R7W, SBB&M
 Cedar Well: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 8, T3N, R7W, SBB&M
 Heath Well No. 4: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 17, T3N, R7W, SBB&M
 Heath Well No. 6: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 17, T3N, R7W, SBB&M
 Orchard Well: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 16, T3N, R7W, SBB&M

Amount: 2.17 cubic feet per second with a maximum annual diversion of
 631 acre-feet per year.

Season: January 1 to December 31.

Purpose: Municipal.

Place of Use: Within the SCWC's Franchise Area in the community of Wrightwood and
 surrounding areas within T3N, R7W, SBB&M as shown on map on file with the
 State Water Board.

Petition Summary for Permit 20827:

Permit 20827 authorizes diversion from seven offset wells located in Buford Canyon, Flume Canyon, Acorn Canyon, Heath Canyon and Sheep Canyon. The water is used for municipal purposes within the community of Wrightwood and surrounding areas.

In 2004, SCWC was unable to divert sufficient amounts of water to meet municipal demand within the authorized service area, due to several years of limited precipitation. SCWC could not obtain enough water from its existing wells due to low water conditions. Therefore, SCWC obtained a Temporary Urgency Permit, WR Order 2004-36-DWR, from the State Water Board that authorizes use of a new well located within a residential development located at the intersection of Acorn and Evergreen Streets in Wrightwood. SCWC installed the new well pursuant to the permit. The new well is located within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 8, T3N, R7W, SBB&M.

SCWC now needs an approved long-term point of diversion under Permit 20827 to continue using the new well.

Environmental Information

The lead agency will prepare the appropriate environmental documents for the project according to the California Environmental Quality Act (CEQA) and its guidelines, and will determine whether or not the project will cause a significant effect on the environment. If you are not filing a protest, but wish to submit information that indicates the project may cause a significant effect on the environment, please send this information to Steven Herrera; State Water Resources Control Board, Division of Water Rights; P.O. Box 2000; Sacramento, CA 95812-2000. This information will be reviewed in accordance with CEQA.

PROTEST SUBMITTAL INFORMATION

Protest Requirements

A person may file a protest based on any of the following factors:

- Interference with prior water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the State Water Board.

All protests must clearly describe the objections to approval of the petition, and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the State Water Board may reject the protest or request that the protestant submit additional information. Protests of a general nature (not project specific) or protests that are inconsistent with constitutional or legislated state policy will not be accepted. A request for information or a request that studies be conducted does not constitute a protest. **The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.**

Procedure for Submitting Protests

Protests should be submitted on standard protest forms available from the Division of Water Rights' website at www.waterboards.ca.gov/forms/ or upon request from the Division of Water Rights. A pamphlet that provides additional information relating to water rights and the procedure for filing protests is also available on the website or by mail. Any requests or the submittal of the completed protest form should be directed to the engineer listed as the contact person at the end of this notice. **A copy of the completed protest form must also be mailed to the petitioner and should include a description of any measures that could be taken to resolve the protest.**

Protest Submittal Deadline

Protests submitted in response to this notice must be received by the Division by 3:00 p.m. on the **30th** day after the date of this notice (the close of the protest period). Protests may be submitted by any of the following methods:

1. Mailed to Division of Water Rights; P. O. Box 2000; Sacramento, CA 95812-2000

2. Faxed to the Division at (916) 341-5400
3. E-mailed to the engineer listed below under the heading "Contact Person"
4. Hand-delivered to the Division office located at 1001 "I" Street, 14th Floor, Sacramento, CA

If you choose to fax or e-mail the protest due to the constraints of the noticing period, the fax or e-mail must be followed by timely delivery of an original signed copy, either personally or by mail, to the Division of Water Rights in order for the protest to be accepted. The State Water Board will respond to all protests within 60 days of the final day to file a protest. **Protests not submitted by the close of the protest period will be subject to rejection.**

For good cause, the State Water Board may grant an extension of time to file a protest. It is the protestant's responsibility to contact the engineer listed below as "Contact Person" to request the extension prior to the end of the protest period.

Resolution of Protests

The petitioners will have 30 days to respond to a protest once it is accepted by the Division of Water Rights. The protestant and the applicant are expected to make a good faith effort to resolve the protest within 180 days from the close of the protest period.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of protest forms, or general information pamphlets, please contact Katherine Mrowka by phone at (916) 341-5363 or by electronic mail at kmrowka@waterboards.ca.gov. Information and protest forms are also available at the Division's website: www.waterboards.ca.gov/forms/.

Date of Notice: **June 21, 2005**