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DIVISION OF WATER RIGHTS
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10:30 AM

PETITION FOR EXTENSION OF TIME

WATER USERS: Permittees Margaret Eastwood Trust and Clint Eastwood

Application _____ Permit 20905B

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (SWRCB), in considering requests for extension of time, will review the facts presented to determine whether there is good cause for granting an extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the SWRCB may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

1. Revoking the permit for failure to proceed with due diligence in completing the project.
2. Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.
3. Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

The time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire shortly.

Please check below the action you wish taken on this permit.

The project has been abandoned and I request revocation of the permit.

Signature

Full use of water has been made, both as to amount and season, and I request license be issued.

Signature

The project is not yet complete. I request the SWRCB's consideration of the following petition for an extension of time.

PETITION FOR EXTENSION OF TIME If START of construction has been delayed

Complete items 1, 2, and 3. N/A – SWRCB issuance of Permit 20905B was for already established farming operation later destroyed due to flood damage. See attachment 1(a).

1. What has been done since permit was issued toward commencing construction?

2. Estimate date construction work will begin. _____

3. Reasons why construction work was not begun within the time allowed by the permit.

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demands and cut your energy costs, see our web-site at: <http://waterrights.ca.gov>." Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

PETITION FOR EXTENSION OF TIME
If construction work is proceeding

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing items 4 through 16. Statements must be restricted to construction or use of water only under this permit. See Attachment 1(a)

- 4. A ten (10) - year extension of time is requested to complete construction work and/or beneficial use of water. (Indicate a period of time less than or equal to 10 years. Must be consistent with the time frame allowed in (California Code of Regulations sections 840 through 844)
- 5. How much water has been used? See progress reports attached hereto. (Attachment 2) acre-feet/year _____ cfs
- 6. How many acres have been irrigated? 54.9 acres
- 7. How many houses or people have been served water? None
- 8. Extent of past use of water for any other purpose. Riparian Habitat
- 9. What construction work has been completed during the last extension? This is the first extension request
- 10. Approximate amount spent on project during last extension period. \$ N/A
- 11. Estimate date construction work will be completed. 12/2016
- 12. Estimated year in which water will be fully used. 12/2016
- 13. Reasons why construction and/or use of water were not completed within time previously allowed. Flood damage and restoration project have interrupted irrigation farming on property. See Attachment 1(a) and 1997-2006 progress reports attached as Attachment 2 detailing exigent circumstances resulting in need for extension.

If the use of water is for municipal (including industrial) and irrigation supplies and is provided or regulated by public agencies and use of the water has commenced, but additional time is needed to reach full use contemplated, the following information must be provided.

- 14. What water conservation measures are in effect or feasible within the place of use?
N/A
- 15. How much water is being conserved or is it feasible to conserve using these conservation measures?
_____ acre-feet per annum. N/A
- 16. How much water per capita is used during the maximum 30-day period? _____ gpd. N/A

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: December 21, 2007, at Salinas, California

Jacqueline Zischke 831-754-4911
Signature(s) Telephone No.

Jacqueline M. Zischke, Derinda L. Messenger & Associates, 450 Lincoln Ave., Suite 103, Salinas, CA 93901

PLEASE PRINT YOUR NAME AND ADDRESS

NOTE: A \$1,000 filing fee, for each Application listed, made payable to the State Water Resources Control Board must accompany a petition for an extension of time. An \$850 fee made payable to the Department of Fish and Game must accompany all but the first petition for an extension of time.

California Environmental Protection Agency

State Water Resources Control Board

DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

ENVIRONMENTAL INFORMATION FOR PETITIONS

Petition for Change

Petition for Extension of Time

Before the State Water Resources Control Board (SWRCB) can approve a petition to change your water right permit or a petition for extension of time to complete use, the SWRCB must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

1. DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition to change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

No changes to project are proposed. Longstanding established farming operations on permitted place of use were interrupted due to flood damage, which destroyed well and artichoke crops. New well has been constructed and the property has been leased for organic farming. However, organic crop farming had to temporarily cease production since 2002 in order to allow for implementation of Lagoon Restoration project on adjacent property (conducted by Coastal Conservancy as lead agency), and for other County flood control measures. Farming operation will resume in full production after completion of restoration and flood control measures, and full beneficial use of water is expected to resume or be completed by December 2016.

See Attachment No. _____

ENVIRONMENTAL INFORMATION FOR PETITIONS

2. COUNTY PERMITS N/A – No changes are proposed.

a. Contact your county planning or public works department and provide the following information:

Person contacted: _____ Date of contact: _____

Department: _____ Telephone: (____) _____

County Zoning Designation: _____

Are any county permits required for your project? YES NO If YES, check appropriate box below:

Grading permit Use permit Watercourse Obstruction permit Change of zoning

General plan change Other (explain):

Grading permit has been obtained for removal of blister on the property for restoration to riparian habitat and flood control. However, no changes to farming operation is proposed, which will resume after completion of restoration and flood control measures.

b. Have you obtained any of the required permits described above? YES NO

If YES, provide a complete copy of each permit obtained.

See Attachment No. ____

3. STATE/FEDERAL PERMITS AND REQUIREMENTS N/A – No changes are proposed.

a. Check any additional state or federal permits required for your project:

Federal Energy Regulatory Commission U.S. Forest Service Bureau of Land Management

Soil Conservation Service Dept. of Water Resources (Div. of Safety of Dams) Reclamation Board

Coastal Commission State Lands Commission Other (specify) _____

b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.

See Attachment No. ____

c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed or bank of any stream or lake? YES NO

If YES, explain: _____

See Attachment No. ____

ENVIRONMENTAL INFORMATION FOR PETITIONS

- d. Have you contacted the California Department of Fish and Game concerning your project? YES NO
If YES, name and telephone number of contact: Protest Dismissal Agreements are contained in project files.

4. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? YES NO
If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____
- b. If NO, check the appropriate box and explain below, if necessary:
- The petitioner is a California public agency and will be preparing the environmental document.*
 - I expect that the SWRCB will be preparing the environmental document.**
 - I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____

See Attachment No. "1" - State Water Resources Control Board determined project exempt from CEQA.
(See Water Rights Order 97-02; See also Permit 20905B).

* Note: When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your petition cannot proceed until these documents are submitted.

** Note: CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the petitioner and at the petitioner's expense under the direction of the SWRCB, Division of Water Rights.

5. WASTE/WASTEWATER N/A

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
 YES NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

See Attachment No. _____

- b. Will a waste discharge permit be required for your project? YES NO
Person contacted: _____ Date of contact: _____
- c. What method of treatment and disposal will be used? _____

See Attachment No. _____

6. ARCHEOLOGY N/A

- a. Have any archeological reports been prepared on this project? YES NO
- b. Will you be preparing an archeological report to satisfy another public agency? YES NO
- c. Do you know of any archeological or historic sites located within the general project area? YES NO

ENVIRONMENTAL INFORMATION FOR PETITIONS

If YES, explain: _____

See Attachment No. _____

7. **ENVIRONMENTAL SETTING** N/A – See photos attached to Progress Reports showing flood damage. Attach **three complete sets of color photographs**, clearly dated and labeled, showing the vegetation that exists at the below-listed three locations. For time extension petitions, the photographs should document only those areas of the project that will be impacted during the requested extension period.
- Along the stream channel immediately downstream from the proposed point(s) of diversion.
 - Along the stream channel immediately upstream from the proposed point(s) of diversion.
 - At the place(s) where the water is to be used.

8. **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attachments are complete to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date: 12/21/07

Signature: Jacqueline Zischke

Jacqueline M. Zischke, Esq.
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Salinas, CA 93901