

POD 59335
 Plotted DEC
 2/11/13

1/18/12 VD

State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
 1001 I Street, 14th Floor, Sacramento, CA 95814
 P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, Fax: (916) 341-5431, www.waterboards.ca.gov/waterrights

INITIAL STATEMENT OF WATER DIVERSION AND USE
NOTE: A Statement is not a Water Right

This Statement should be typewritten or legibly written in ink and submitted to the address above.
 A separate statement must be filed for each point of diversion.

DIVISION OF WATER RIGHTS

2010 JUN 30 AM 10:18

An (*) indicates a required section. Required sections must be completed for the Statement to be accepted.

*A. Claimant/Agent Information

Claimant/Owner: Leal Family Trust	Agent:
Mailing Address	Mailing Address
P.O. Box H	
Yuba City, CA 95992	
Phone No. (530) 751-1206	Phone No.
Fax No. (530) 751-5199	Fax No.
E-mail Address:	E-mail Address:

*B. Water is diverted and used under the claim of: Riparian claim Pre 1914 claim Court Decree No _____

Other (explain):
Pending Application 31572 filed May 2005

*C. Name of the body of water at the point of diversion
State Reclamation Drain

Tributary to East Borrow Pit of the Sutter Bypass

*D. Point of diversion is located within Sutter County on Assessor's Parcel No. _____

being within the NW 1/4 of SW 1/4 of Section 27, of Township 13N, Range 3E, MD B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.
6665601 E, 2106259 N, California Coordinate System, NAD 83

Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is POD #5 Related Water Right(s) See Attachment

E. Do you own the land at the point of diversion? Yes No If No, please provide the name and address of the land owner at the point of diversion: _____

*F. Capacity of diversion works 4,500 ~~(cfs, gpm, or gpd)~~ ^{XX} Capacity of storage tanks or reservoir _____ (gallons or acre-feet)

Type of diversion facility: Gravity Creek Pump _____ Well Pump _____

Method of measurement: Weir _____ Flume _____ In line flow meter _____ Electric Meter _____ Estimate

NOTE: * Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.

*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs _____, gpm _____, or gpd _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

MW

Additional copies of this form and water right information can be obtained at www.waterboards.ca.gov/waterrights.

*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons ___ Million gallons ___ Acre-feet X

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2009	X	X	X							X	X	X	138

H. Annual water use in recent years: Maximum _____ (gallons or acre-feet) Minimum _____ (gallons or acre-feet)

State the year of first use at diversion site or storage facility 1940's

*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) Irrigation, Recreation, Rice Straw Decomposition, and Wildlife Enhancement on 138 acres.

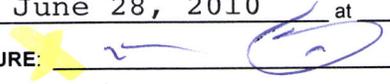
*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.
See Attached Map

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water
 - a. Describe any water conservation efforts you have in place Good farming practices which will carry over to the proposed season of diversion.
2. Water quality and wastewater reclamation
 - a. 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? YES ___ NO X.
3. Conjunctive use of surface water and groundwater
 - a. Are you using groundwater in lieu of surface water? YES ___ NO X.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

*DATE: June 28, 2010 at Yuba City, California

*SIGNATURE: 

*PRINTED NAME: Robert Leal
(first name) (middle initial) (last name)

COMPANY NAME: LEAL FAMILY TRUST

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/, or write to this office.

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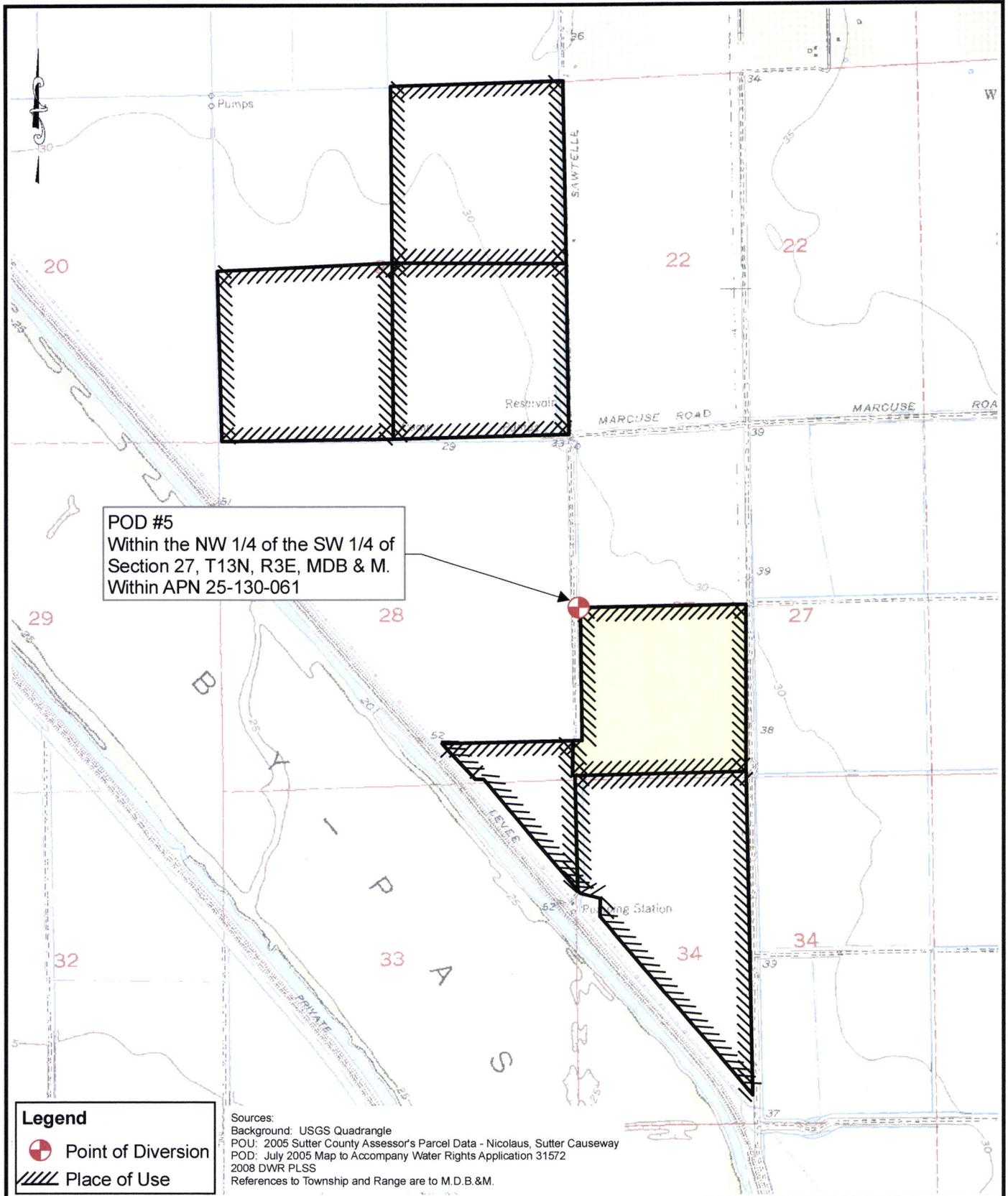
**Attachment to
Initial Statement of Water Diversion and Use
for Leal Family Trust
Wyatt Ranch**

D. Related Water Rights:

Pending Application 31572 filed May 20, 2005.

J. The place of use is comprised of approximately 138 acres of rice fields located along the east side of the Sutter Bypass, within the Pacific Flyway, approximately 6 miles northwest of the town of Nicolas in Sutter County.

K.1.a.: Optimum water conservation efforts have yet to be determined; however, these efforts are ongoing and include improved water management practices and technologies such as, but not limited to laser leveling of fields, crop shifts, varietal changes, weed abatement, water holding periods following herbicide applications.



MBK ENGINEERS
 1771 Tribute Road, Suite A
 Sacramento, CA 95815
 Phone: 916-456-4400 - Fax: 916-456-0253

LEAL FAMILY TRUST - WYATT RANCH

**STATEMENT OF WATER
 DIVERSION AND USE**

SCALE:	1" = 2,000'
JOB NUMBER:	1200
DRAWN BY:	MB
DATE:	06/22/2010
SHEET:	1 of 1