

**State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
INITIAL STATEMENT OF WATER DIVERSION AND USE**

**NOTE: A Statement is not a Water Right**  
READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM

STATE WATER RESOURCES  
CONTROL BOARD  
2013 JAN 24 AM 10:48  
DIVISION OF WATER RIGHTS  
SACRAMENTO

2013-0010

## STATEMENT COVER PAGE

Information provided by water diverters on this page will be for office use only.  
For your privacy, this cover page will not be made available for public online viewing.

COVER PAGE: INITIAL STATEMENT OF WATER DIVERSION AND USE CLAIMANT NAME Duncan/McCarthy  
SOURCE/TRIBUTARY Couser Canyon/San Luis Rey River DIVERSION WORKS NAME Pala Rey Ranch

A. Claimant Information (required)			
Claimant Name(s): Adam Duncan, Jr.; Kathleen L. McCarthy			
Mailing Address 10449 Bainbridge Avenue	City Los Angeles	State CA	Zip 90024
Phone number	Email Address (if available)		
Agent Name (if applicable) B. Tilden Kim/Richards, Watson & Gershon			
Mailing Address 355 South Grand Avenue, 40th Floor	City Los Angeles	State CA	Zip 90071
Phone Number (213) 626-8484	Email Address (if available) tkim@rwglaw.com		
Land Owner Name (if different from claimant) See above			
Mailing Address	City	State	Zip

B. Certification of Statement (required)	
I declare under penalty of perjury that the information in this statement of water diversion and use is true to the best of my knowledge and belief.	
DATE: <u>January 22, 2013</u>	at <u>Los Angeles</u> , California (county)
SIGNATURE: 	
PRINTED NAME: <u>B.</u> <u>Tilden</u> <u>Kim</u>	(first name) (middle name) (last name)
COMPANY NAME: <u>Richards, Watson &amp; Gershon</u>	

**UPON COMPLETION OF THIS STATEMENT, ATTACH ALL SUPPORTING DOCUMENTATION AND MAPS AND MAIL TO:**

State Water Resources Control Board  
Division of Water Rights  
PO Box 2000  
Sacramento, CA 95812-2000

Additional copies of this form, instructions on how to complete this form and water right information can be obtained at  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/). Revised Jan. 1, 2013.

**S023737**

STATE WATER RESOURCES CONTROL BOARD  
 2013 JAN 24 AM 10:51  
 DIV OF WATER RIGHTS SACRAMENTO

**State Water Resources Control Board  
 DIVISION OF WATER RIGHTS  
 INITIAL STATEMENT OF WATER DIVERSION AND USE**

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PAGE 1 OF 1: INITIAL STATEMENT OF WATER DIVERSION AND USE CLAIMANT NAME Duncan/McCarthy  
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<b>1. Type of Claim</b>													
Check the box(es) which describe the type of claim(s) under which you are diverting water.													
<input checked="" type="checkbox"/> Riparian	<input checked="" type="checkbox"/> Pre-1914	<input type="checkbox"/> Court Decree	<input type="checkbox"/> Pending Appropriative Application	<input type="checkbox"/> Other									
If you checked yes for Court Decree, Pending Appropriative Application or other, list the decree number, application ID or explanation:													
<b>2. Water Course Description (required)</b>													
Source Name at the point of diversion Couser Canyon							Tributary to San Luis Rey River						
<b>3. Legal Land Description (required)</b>													
Provide the location of the Point of Diversion using one of the following methods (check one box and enter coordinates, if applicable)													
<input type="checkbox"/> Latitude/Longitude Measurements: _____													
<input type="checkbox"/> California Coordinate System (NAD 1983): _____													
<input checked="" type="checkbox"/> USGS Topographic Map with point of diversion labeled on map (if checked yes, please attach map)													
County (required) San Diego				Assessor's Parcel Number(s), if assigned									
Provide Public Land Description to nearest 40 acres (if assigned) NW <u>  </u> ¼ of the NE <u>  </u> ¼ of Section <u>06</u> , Township <u>10S</u> , Range <u>02W</u> , B&M <u>SB&amp;M</u>													
<b>4. Place of Use Description (required)</b>													
Provide a general description of the area in which the water was used Pala Rey Ranch													
Provide an outline of the Place of Use using one or both of the following methods (check box indicating each map attached)													
USGS <input checked="" type="checkbox"/> Topographic Map Cour <input type="checkbox"/> y Assessor's parcel map													
<b>5. Purpose of Use Description (required)</b>													
Provide a listing of use types (see instructions for a listing of water uses) Irrigation - Oats; Vegetables Domestic - Fruit Stand													
Number of Acres (if applicable) 20				Persons Served (if applicable)				Stock Watered (if applicable)					
<b>6. Diversion Works Description (required)</b>													
Name of Diversion Works, if named							Year in which diversion commenced (or specify nearest known year) 1900						
List any related existing water rights, if applicable (for example, an appropriative right using the same diversion works)													
Type of Diversion Facility (select one)													
<input type="checkbox"/> Gravity Cre <input type="checkbox"/> Pump <input checked="" type="checkbox"/> Well Pump <input type="checkbox"/> Other (please specify) _____													
Capacity of Diversion Works (specify unit of measure)							Capacity of Storage Tank or Reservoir (if applicable)						
<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> gpd							<input type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet						
<b>7. Quantity of Water Diverted (required)</b> Note: Measurements must be made using "best available technology" and "best professional practices". If "best technology available" is not used to measure diversions, explain in section 8b below.													
Provide the quantity of water diverted each month in the table below as a measured in (check one box) <input type="checkbox"/> Gallons <input checked="" type="checkbox"/> Acre-feet													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2012	X	X	X	X	X	X	X	X	X	X	X	X	62

**8. Measurement Device Description (required)**

Method used to measure water diverted (select one)

Water directly diverted and/or diverted to storage was measured with a measuring device.  
(if checked, proceed to section 8a and skip section 8b)

Direct measurement using a device listed in Section 8a is not "locally cost effective" for water directly diverted and/or diverted to storage.  
(if checked, skip section 8a and proceed to section 8b).

**8a. Measuring Device**

Indicate the types of measuring devices used (check all that apply):

Propeller Meter       Sluice/Slide Gate       Acoustic Meter       Weir

Staff gage and storage capacity curve       Staff gage and floodable acreage

Pressure transducer and storage capacity curve       Other: \_\_\_\_\_

Indicate any additional technology used (check all that apply and explain below):

Flow totalizer       Data Logger       Telemetry       Other: \_\_\_\_\_

Indicate who installed your measuring device(s) (check all that apply):

Representative using manufacturer's recommendations      Licensed       Civil or Agricultural Engineer

Representative who is American Water Works Association (AWWA)-certified       Hydrographer

Representative using United States Geological Survey (USGS) techniques       Other/Unknown: \_\_\_\_\_

List the make, model number, and last calibration date of your measuring device(s), if available:

**8b. Explanation of why use of a measuring device is "not locally cost effective"**

Indicate why you concluded that direct measurement using a device listed in Section 8a is not locally cost effective (check all that apply)

Diversion is small or minimal in size       Diversions are infrequent

No power at diversion point       Other: \_\_\_\_\_

Indicate method(s) used as an alternative to direct measurement in order to complete this report (check all that apply)

Electricity records dedicated to the pump       Total facility electricity records minus estimated non-pump electricity

Engine fuel use or hour meter records       Crop duty estimates/consumptive use estimates

Power generation estimates       Other water duty estimates other than for crops

Modeled/estimated flows      Rem  satellite imaging

Pipe/trajectory method      Buck  and stopwatch

Float and stopwatch      Other:  \_\_\_\_\_

Explain your measurement alternatives:

**9. Maximum Rate of Diversion (if available)**

Provide the maximum rate of diversion achieved in each month as measured in (check one box)       cfs       gpm       gpd

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2012	X	X	X	X	X	X	X	X	X	X	X	X

**10. Recent Water Use**

Provide the annual water use in recent years:	Maximum	62	<input type="checkbox"/> Gallons	<input checked="" type="checkbox"/> Acre Feet
	Minimum		<input type="checkbox"/> Gallons	<input type="checkbox"/> Acre Feet

**11. Water Conservation Efforts (answer only sections applicable to your diversion)**

Water Conservation: Are you currently employing any methods of water conservation?       Yes       No

If yes, describe any water conservation efforts in use:  
Use micro sprinklers

Water Quality and Wastewater Reclamation: 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

Conjunctive use of surface water and groundwater: Are you using groundwater in lieu of surface water?       Yes       No

RJR



RICHARDS | WATSON | GERSHON  
ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION

STATE WATER RESOURCES  
CONTROL BOARD

355 South Grand Avenue, 40th Floor, Los Angeles, California 90071-3101  
Telephone 213.626.8484 Facsimile 213.626.0078

2013 JAN 24 AM 10:48

DIV OF WATER RIGHTS  
SACRAMENTO

RICHARD RICHARDS  
(1916-1988)  
  
GLENN R. WATSON  
(1917-2010)  
  
HARRY L. GERSHON  
(1922-2007)

January 22, 2013

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000

Re: *Initial Statements of Water Diversion and Use re Pala Rey Ranch*

Enclosed are seven (7) Initial Statements of Water Division and Use for my clients Adam D. Duncan, Jr. and Kathleen L. McCarthy, owners of Pala Rey Ranch, located in Pala, California. Also enclosed is a USGS topographic map, with a notation of the location of Pala Rey Ranch (roughly mid-way between Riverside and Temecula), just east of I-15 freeway.

Please call me if you have any questions.

Very truly yours,

B. Tilden Kim

Enclosure(s)

12621-0002\1524493v1.doc

STEVEN L. DORSEY  
WILLIAM L. STRAUSS  
MITCHELL E. ABBOTT  
GREGORY W. STEPANICICH  
ROCHELLE BROWNE  
QUINN M. BARROW  
CAROL W. LYNCH  
GREGORY M. KUNERT  
THOMAS M. JIMBO  
ROBERT C. CECCON  
STEVEN H. KAUFMANN  
KEVIN G. ENNIS  
ROBIN D. HARRIS  
MICHAEL ESTRADA  
LAURENCE S. WIENER  
STEVEN R. ORR  
B. TILDEN KIM  
SASKIA T. ASAMURA  
KAYSER O. SUME  
PETER M. THORSON  
JAMES L. MARKMAN  
CRAIG A. STEELE  
T. PETER PIERCE  
TERENCE R. BOGA  
LISA BOND  
JANET E. COLESON  
ROXANNE M. DIAZ  
JIM G. GRAYSON  
ROY A. CLARKE  
WILLIAM P. CURLEY III  
MICHAEL F. YOSHIBA  
REGINA N. DANNER  
PAULA GUTIERREZ BAEZA  
BRUCE W. GALLOWAY  
DIANA K. CHUANG  
PATRICK K. BOBKO  
NORMAN A. DUPONT  
DAVID M. SNOW  
LOLLY A. ENRIQUEZ  
KIRSTEN R. BOWMAN  
GINETTA L. GIOVINCO  
TRISHA ORTIZ  
CANDICE K. LEE  
BILLY D. DUNSMORE  
AMY GREYSON  
DEBORAH R. HAKMAN  
D. CRAIG FOX  
MARICELA E. MARROQUIN  
GENA M. STINNETT  
JENNIFER PETRUSIS  
STEVEN L. FLOWER  
CHRISTOPHER J. DIAZ  
ERIN L. POWERS  
TOUSSAINT S. BAILEY  
SERITA R. YOUNG  
SHIRI KLIMA  
DIANA H. VARAT  
JULIE A. HAMILL  
ANDREW J. BRADY  
MOLLY R. MCLUCAS  
AARON C. O'DELL  
BYRON MILLER  
SPENCER B. KALLICK

OF COUNSEL  
MARK L. LAMKEN  
SAYRE WEAVER  
JIM R. KARPIAK  
TERESA HO-URANO

SAN FRANCISCO OFFICE  
TELEPHONE 415.421.8484

ORANGE COUNTY OFFICE  
TELEPHONE 714.990.0901

TEMECULA OFFICE  
TELEPHONE 951.695.2373

# Contact Report

A. Diverter/Responsible Party: Initial Filing

B. Contact #: \_\_\_\_\_

C. Temporary statement # (if applicable; i.e. 2012-206): 2013-010-016

## D. Contact Attempts:

Date/ Time	Contacted By	Person Contacted	Reason for Contact	Result of Contact
11/14/2013 3:18pm	Darin Clark		Initial Filing	Left Message

## Conversions:

E. Cycle:  1  2  3

F. Capacity of diversion works: \_\_\_\_\_

G. Capacity of storage: \_\_\_\_\_

H. Quantity of Water Diverted: \_\_\_\_\_

I. Water use in recent years: Maximum \_\_\_\_\_ Minimum \_\_\_\_\_

J. Latitude/Longitude: \_\_\_\_\_

## Statement Processing:

K. Entered into eWRIMS: 11/21/13 Date DCC Completed by

L. Plotted:

M. POD ID#: 61323

## N. Additional Comments:

5023737  
Statements deficient = needs capacity of diversion works and storage. 7 Statements