

PETITION FOR EXTENSION OF TIME

WATER USERS:

Application _____ 14313 _____ Permit _____ 8816 _____

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 (State Water Board), 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 State Water Board 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 State Water Board'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.

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

Please see the attached list of infrastructure improvement projects over the last ten years.

2. Estimate date construction work will begin: Ongoing.
3. Reasons why construction work was not begun within the time allowed by the permit.

The site of Bear Gulch Reservoir 2 was made unavailable with the construction of Interstate 280 (Junipero Sera Freeway). Cal Water is pursuing other options to develop this source of supply. Construction of additional facilities to accommodate higher flows will be installed as the costs are justified by the price and availability of alternate supplies. As an investor owned public utility Cal Water is regulated by the California Public Utilities Commission, and as such all expenditures must be approved by the commission. The reliability of supplemental water from the San Francisco Public Utilities Commission is a growing concern to Cal Water and other regional water interests. Thus, this local supply will provide an increasingly important portion of future demands.

Rec'd
\$1200
\$850 (DPG)
6/23/08

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
MAY 23 PM 2:19

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.

4. A 10 - year extension of time is requested to complete construction work and/or beneficial use of water. (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 Attached acre-feet/yr
6. How many acres have been irrigated? 0
7. How many houses or people have been served water? Cal Water's Bear Gulch District serves an estimated population of 55,320 people.
8. Extent of past use of water for any other purpose. Diversions by Cal Water have always been used for municipal purposes.
9. What construction work has been completed during the last extension? See Attached.
10. Approximate amount spent on project during last extension period. \$1,236,177
11. Estimate date construction work will be completed. See number 1. 2
12. Estimated year in which water will be fully used. TBD-See number 1. 2
13. Reasons why construction and/or use of water were not completed within time previously allowed.

Diversions will increase as demand from this source increases, is justified financially, and is approved through the CA PUC process. Overall demand in the Bear Gulch District has increased by an average of 3% over the last five years.

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?

Cal Water's conservation program currently has several conservation measures in effect. These include: Residential Audits, Plumbing Retrofits, Landscape Programs, Washing Machine Rebates, Public Information Campaigns, School Education Programs, Commercial Toilet Rebates, and High Efficiency Toilet Rebates. The level of implementation for these measures was, and continues to be, dependent on CA PUC approval of funding for these programs, and the overall water savings vary accordingly. The PUC's recent policy shift to allow for a Revenue Adjustment Mechanism in combination with increased funding for conservation programs will provide Cal Water with the opportunity to increase the availability of conservation measures and related programs.

15. How much water is being conserved or is it feasible to conserve using these conservation measures? See number 14.
16. How much water per capita is used during the maximum 30-day period? 383 gpd.

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

Dated: June 13, 2008, at San Jose, California

M Rossi (408) 367-8200
Vice President Signature(s) Telephone No.
Michael J. Rossi 1720 North First Street San Jose, CA 95112

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.

M Rossi *MJ Ross*

Response to Question #5

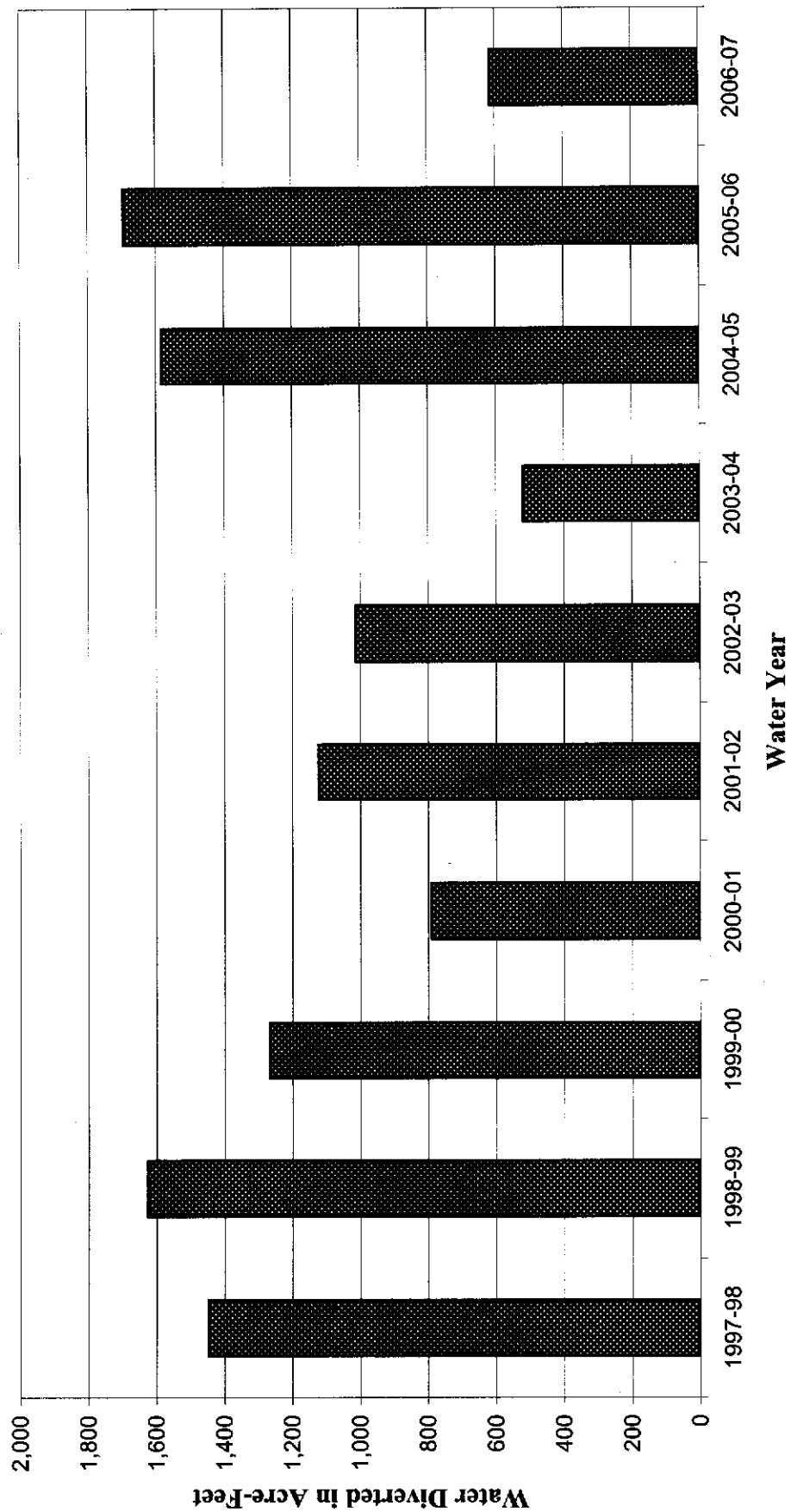
California Water Service Company
Bear Gulch District

Bear Gulch Diversion Dam
Permit Diversions in Water Year

Water Year	MG	AF
1997-98	471.5	1,446.9
1998-99	529.5	1,625.0
1999-00	412.7	1,266.6
2000-01	257.6	790.4
2001-02	365.6	1,122.1
2002-03	330.0	1,012.7
2003-04	169.4	519.7
2004-05	515.3	1,581.5
2005-06	551.8	1,693.3
2006-07	199.6	612.7

California Water Service Company

Bear Gulch Diversion Permit 8816



Response to Questions 9 and 10

California Water Service Company
Bear Gulch Surface Water Diversion Projects

Year	Description	Cost
2002	Eliminate Cross Connection	\$117,717
2002	Station 3 Level Control	\$9,705
2003	Station 3 Fish Screen	\$211,575
2004	UV Demonstration Project	\$32,535
2005	Advanced Stability Study	\$66,645
2005	Diversion Engineering Work	\$657,853
2007	Fish Passage Improvements	\$98,971
2008	Station 3 Bypass Flow Monitoring	\$41,176
Project Spending as of May 8, 2008:		\$1,236,177

California Water Service Company - Bear Gulch District
Water Supply and Demand Analysis
Per Capita Water Demand Calculation

Year	Annual				Maximum Month		
	Usage (MGY)	Estimated Population	Gallons Per Capita Per Day	Gallons Per Minute	Usage (MG)	Gallons Per Capita Per Day	Gallons Per Minute
1998	3,979	53,640	203	0.14	591	355	0.25
1999	4,419	53,790	225	0.16	604	362	0.25
2000	4,610	53,890	234	0.16	601	360	0.25
2001	4,731	54,070	240	0.17	631	376	0.26
2002	4,444	54,150	225	0.16	583	347	0.24
2003	4,517	54,240	228	0.16	651	387	0.27
2004	4,890	54,370	246	0.17	637	378	0.26
2005	4,408	55,220	219	0.15	633	370	0.26
2006	4,516	55,430	223	0.15	683	398	0.28
2007	5,323	55,320	264	0.18	658	384	0.27
5 Yr. Avg.	4,731	54,916	236	0.16	652	383	0.27
10 Yr. Avg.	4,584	54,412	231	0.16	627	372	0.26

Five year average is from years 2003 through 2007.

Ten year average is from years 1998 through 2007.