

3. Amendment of subsection (b) filed 3-3-78 as procedural and organizational; effective upon filing (Register 78, No. 9).
4. Renumbering and amendment of former Section 688 to Section 733, and renumbering and amendment of Section 700 to Section 688 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 689. Separate Application for Frost Protection.

Direct diversion for frost protection shall be the subject of a separate application, except where such uses are clearly incidental to other uses in areas other than in Napa Valley. Existing permits for frost protection direct diversion combined with other uses may be separated into separate permits when an order is issued allowing an extension of time or a change in the permit. Separate licenses or a permit and a license may be issued upon completion of the separate portions of the project if appropriate.

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 1252, Water Code.

#### HISTORY

1. Renumbering and amendment of former Section 689 to Section 722, and renumbering and amendment of Section 648.5 to Section 689 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see Register 79, No. 41.

### § 690. Application by an Agency Representing Users Within a Combined Place of Use.

An application by an agency proposing to serve water to several separately owned parcels of land will be accepted when that agency is competent to take title to the water right (for example, an irrigation district or a mutual water company).

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 1252, Water Code.

#### HISTORY

1. Renumbering and amendment of former Section 701 to Section 690 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see register 55, No. 17.

### § 691. Joint Applications.

(a) Two or more persons proposing to share in the use of water stored in a reservoir or proposing a common place of use (such as the irrigation of jointly owned property), shall file a joint application.

(b) A joint application shall clearly indicate the nature and extent of the respective rights of each applicant in the ownership and operation of the proposed reservoir and to any water right received. Joint applicants shall designate one person to receive correspondence from the board and to act for them in all matters pertaining to the usual processing of the application.

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 1252, 1260 and 1775, Water Code.

#### HISTORY

1. Renumbering and amendment of former Section 702 to Section 691 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see Registers 74, No. 48 and 55, No. 17.

### § 692. Definitions.

NOTE: Specific authority cited: Sections 1058 and 13991(g), Water Code. Specific reference cited: Part 2, Division 2, Chapters 3-5, 8 and 14, Division 7, Water Code; and Divisions 1-2, Title 7, Government Code.

#### HISTORY

1. Renumbering of former Sections 685, 686, 687 and 688 to 692, 693, 694 and 695, respectively, and amendments of 694 and 695 filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Amendment filed 3-10-60; effective thirtieth day thereafter (Register 60, No. 5).
3. Amendment filed 9-3-76; effective thirtieth day thereafter (Register 76, No. 36).
4. Amendment of Article title and Section 692 filed 8-1-78; effective thirtieth day thereafter (Register 78, No. 31).
5. Renumbering and amendment of Section 692 to Section 656 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 692.3. Determination of Completeness.

NOTE: Specific authority cited: Sections 1058 and 13991(g), Water Code. Specific reference cited: Part 2, Division 2, Chapters 3-5, 8 and 14, Division 7, Water Code; and Divisions 1-2, Title 7, Government Code.

#### HISTORY

1. New section filed 8-1-78; effective thirtieth day thereafter (Register 78, No. 31).
2. Renumbering and amendment of Section 692.3 to Section 678 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 692.5. Additional Information.

NOTE: Specific authority cited: Sections 1058 and 13991(g), Water Code. Specific reference cited: Part 2, Division 2, Chapters 3-5, 8 and 14, Division 7, Water Code; and Divisions 1-2, Title 7, Government Code.

#### HISTORY

1. New section filed 8-1-78; effective thirtieth day thereafter (Register 78, No. 31).
2. Renumbering and amendment of Section 692.5 to Section 682 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 692.7. Supplemental Information.

NOTE: Specific authority cited: Sections 1058 and 13991(g), Water Code. Specific reference cited: Part 2, Division 2, Chapters 3-5, 8 and 14, Division 7, Water Code; and Divisions 1-2, Title 7, Government Code.

#### HISTORY

1. New section filed 8-1-78; effective thirtieth day thereafter (Register 78, No. 31).
2. Renumbering and amendment of Section 692.7 to Section 683 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 693. Statement of Reasons and Request for Time to Complete.

#### HISTORY

1. Repealer filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

### § 694. Time to Complete and Extensions Thereof.

#### HISTORY

1. Amendment filed 3-10-60; effective thirtieth day thereafter (Register 60, No. 5).
2. Renumbering and amendment of Section 694 to Section 681 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

## Article 5. Amounts for Which to Apply

### § 695. Unappropriated Water.

A permit can be issued only for unappropriated water. Unappropriated water does not include water being used pursuant to an existing right, whether the right is owned by the applicant, or by another person. (For the relationship between new applications and existing rights, see Section 731.)

NOTE: Authority cited: Section 1058, Water Code. Reference: Sections 1202 and 1375, Water Code.

#### HISTORY

1. Amendment filed 3-10-60; effective thirtieth day thereafter (Register 60, No. 5).
2. Renumbering and amendment of former Section 695 to Section 679, and renumbering and amendment of Section 653(a) to Section 695 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see Registers 81, No. 11 and 73, No. 12.

### § 696. Applications Reasonably Necessary for Beneficial Use—How Stated.

The amount of water for which to apply is governed by the estimated amount which can be put to beneficial use including reasonable conveyance losses, and shall be stated in the definite terms of some established unit of measurement, such as cubic feet per second, gallons per minute or per day, or acre-feet per annum.

NOTE: Authority cited: Section 1058, Water Code. Reference: Sections 275, 1240, 1241, 1252 and 1260, Water Code.

#### HISTORY

1. New section filed 3-10-60; effective thirtieth day thereafter (Register 60, No. 5).
2. Editorial correction (Register 60, No. 8).
3. Amendment filed 3-19-64; effective thirtieth day thereafter (Register 64, No. 6).
4. Renumbering and amendment of former Section 696 to Section 680, and renumbering and amendment of Section 655 to Section 696 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

**§ 697. Examples of Amounts Considered Reasonably Necessary.**

The amount of water considered reasonably necessary for certain uses when the appropriation will be by direct diversion shall be determined in the following manner:

(a) Irrigation Use.

(1) In most portions of the central valley of California and elsewhere in the State where similar conditions prevail a duty of one cubic foot per second continuous flow to each 80 acres shall be considered a reasonable headgate duty for most crops. Where there is a greater abundance of water and a heavy transportation loss, or the land to be irrigated is of a porous, sandy or gavelly character a continuous flow allowance of one cubic foot per second to each 50 acres may be considered reasonable. Under other conditions where water supply is less abundant and conditions are favorable to a more economical use a duty of one cubic foot per second to 150 acres may be considered reasonable for most crops. For the irrigation of rice the customary allowance shall be one cubic foot per second continuous flow to each 40 acres of irrigated land.

(2) The equivalent of these continuous flow allowances for any 30-day period may be diverted in a lesser time at a greater rate so long as there is no interference with other users, and a clause allowing such rotation will be included in a permit issued for irrigation purposes.

(b) Domestic Use. Allowances for domestic use are variable, depending upon the character of the place of use, method of use, character of use and availability of water. The quantities considered reasonable for the respective domestic uses are as follows:

Homes, Resorts, Motels, Organization Camps, etc.

Fully plumbed .....	55 to 75 gallons per day per person
Sink and flush toilet only .....	40 gallons per day per person
Sink and shower only .....	35 gallons per day per person
Sink only .....	25 gallons per day per person
Outside supply only .....	15 gallons per day per person
Cafe, fountain, etc .....	2.5 gallons per day per person

Camp Grounds

Depending upon facilities provided, allowances range from 5 gallons per day per person, where faucets only are provided, to 30 gallons per day per person where washbowls, showers, flush toilets and laundry trays are provided.

Lawn, Garden, Orchard and Grounds

Irrigation .....	18.5 gallons per day per 100 square feet
Sprinkling to allay dust. ....	7.5 to 10 gallons per day per 100 square feet

Livestock

Milch cows .....	30 gallons per day per head
Horses .....	15 gallons per day per head
Goats and hogs .....	2.5 gallons per day per head
Poultry, rabbits, etc .....	0.25 gallon per day per head

(c) Stockwatering Use. For use for watering commercial livestock, the quantities considered reasonable are as follows:

Range cattle and horses .....	15 gallons per day per head
Hogs and goats .....	2.5 gallons per day per head
Sheep .....	1.5 gallons per day per head
Milch cows .....	30 gallons per day per head
Hosing out dairy barn .....	35 gallons per day per head

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 275, 1240 and 1252, Water Code.

HISTORY

1. Renumbering and amendment of Section 657 to Section 697 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see Registers 64, No. 6 and 55, No. 17.
2. Editorial correction amending subsection (a)(2) (Register 2005, No. 17).

**§ 698. Action upon an Application for an Excessive Amount.**

An application for an amount of water clearly in excess of the capacity of the proposed diversion works or in excess of an amount reasonably necessary for the proposed use will not be approved and shall be reduced.

In the event of uncertainty, a showing of need for and ability to divert additional water will be required of the applicant.

NOTE: Authority cited: Sections 1058, Water Code. Reference: Section 2, Article X, California Constitution; and Section 275, Water Code.

HISTORY

1. Renumbering and amendment of former Section 695 and amendment to Section 695 filed 12-1-55; effective thirtieth day thereafter. Former Section 696 repealer filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Amendment filed 3-10-60; effective thirtieth day thereafter (Register 60, No. 5).
3. Amendment filed 11-25-80; effective thirtieth day thereafter (Register 80, No. 48).
4. Renumbering and amendment of former Section 698 to Section 686, and renumbering and amendment of Section 656 to Section 698 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).
5. Editorial correction amending section (Register 2005, No. 17).

**§ 698.5. Separate Application for Frost Protection.**

NOTE: Authority cited: Sections 185 and 1058, Water Code. Reference: Section 1253, Water Code.

HISTORY

1. New section filed 10-12-79; effective thirtieth day thereafter (Register 79, No. 41).
2. Renumbering and amendment of Section 698.5 to Section 689 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

**§ 699. Limitation upon Application and Right Obtained.**

Neither the amount of water applied for, nor the season of diversion, as stated in the application as first filed can subsequently be increased in the application or in a permit or license issued on the application.

NOTE: Authority cited: Section 1058, Water Code. Reference: Section 1450, Water Code.

HISTORY

1. New section filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Amendment filed 3-19-64; effective thirtieth day thereafter (Register 64, No. 6).
3. Renumbering and amendment of former Section 699 to Section 687, and renumbering and amendment of Section 658 to Section 699 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

**§ 700. Approval of Applications for Partial Season of Use.**

When unappropriated water is not available to the applicant during the entire season for which the use of water is needed, an application may be approved for the portion of the season during which unappropriated water is available, provided the applicant first supplies to the board reasonable assurance that water can and will be obtained from an alternate source during the remainder of the season without impairing the prior rights of others.

NOTE: Authority cited: Section 1058, Water Code. Reference: Sections 1202, Water Code.

HISTORY

1. Renumbering of former Section 756 and amendment filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Renumbering and amendment of former Section 700 to Section 688, and renumbering and amendment of Section 760 to Section 700 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10). For prior history, see Register 71, No. 48.

**§ 701. Application by an Agency Representing a Combined Use.**

HISTORY

1. Renumbering and amendment of former Section 697 and amendment to Section 701 filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Renumbering and amendment of Section 701 to Section 690 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).

**§ 702. Joint Applications.**

HISTORY

1. Repealer and new section filed 12-1-55; effective thirtieth day thereafter (Register 55, No. 17).
2. Repealer and new section filed 11-24-71; effective thirtieth day thereafter (Register 71, No. 48).
3. Renumbering and amendment of Section 702 to Section 611 filed 1-16-87; effective thirtieth day thereafter (Register 87, No. 10).