**State of California, 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://waterrights.ca.gov

S000642

**2005, 2006, 2007**

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

**Owner(s) of Record:**
SHIRLEY J CARTER; AUDREY A NUECHLERTEIN; THE LEILA M DALE LAND TRUST

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

ELWRM 5/B/2

JUL 17 2008

Primary Contact:
~~SHIRLEY J CARTER~~ SUSAN P. Carter
~~25876 HWY 36E~~ 426½ Berrendos Ave.
RED BLUFF, CA 96080 Red Bluff, CA 96080
Phone No. ~~916-597-2188~~ 530-527-4386
Fax No.
E-mail Address:

Agent:
Address:
Phone No.
Fax No.
E-mail Address:

STATE WATER RESOURCES CONTROL BOARD
2008 JUN 27 PM 3:32
DIV OF WATER RIGHTS SACRAMENTO

~~Source Name: PAYNES CREEK~~
**Tributary To:**
**County:** Tehama
**Diversion within:** NE 1/4 of SE 1/4 Section 35, T 29 N, R 2 W, MDB&M

**Year of First Use:** 1870
**Name of Diversion works:**
**Assessor Parcel Number of the Diversion site:**

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ✓ Court Decree No.: _____ Other (explain): _____

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1870

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) ✓ Gallons per day (gpd) _____ Cubic feet per second (cfs) _____

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Average Rate |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2005 | NO USE | NO USE | NO USE | NO USE | 150 | 140 | 130 | 120 | 110 | NO USE | NO USE | NO USE | 130 |
| 2006 | NO USE | NO USE | " " | " " | 150 | 140 | 130 | 120 | 110 | NO USE | " " | " " | 130 |
| 2007 | NO USE | NO USE | " " | " " | NO USE | 150 | 140 | 120 | 110 | " " | " " | " " | 130 |

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) ✓

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2005 | NO | NO | NO | NO | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | NO | NO | NO | 1 1/4 |
| 2006 | NO | NO | NO | NO | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | NO | NO | NO | 1 1/4 |
| 2007 | NO | NO | NO | NO | NO | 1/4 | 1/4 | 1/4 | 1/4 | NO | NO | NO | 1 |

E. ~~**Purpose of Use**~~ – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 20 acres acres; Stockwatering _____; Domestic _____;
Other (specify) _____

Parcel Number(s) of Place of Use: 009-140-11-1

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year _____ _____ (AF/MG) Year _____ _____ (AF/MG) Year _____ _____ (AF/MG)

Reduction in consumptive use:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

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 which unreasonably affects such water for other beneficial uses? YES ____ NO ____.

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____.

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
Year ____ _____ (AF/MG) Year ____ _____ (AF/MG) Year ____ _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

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

**DATE:** June 24, 2008 at Red Bluff, California

**SIGNATURE:** Susan P. Carter

**PRINTED NAME:** SUSAN P. Carter
(first name) (middle initial) (last name)

**COMPANY NAME:** _____

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM CONTINUATION

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 sources 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 store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

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 back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. 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 diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999**

**OWNER OF RECORD:** JAMES C DALE, SHIRLEY J CARTER, AUDREY A NUECHLERTEIN
The Leila M Dale Land Trust with 3 above as beneficiaries

~~JAMES C DALE~~ Shirley J. Carter
~~ROUTE 5, BOX 22~~ 25870 Hwy 36 E
RED BLUFF, CA 96080

**STATEMENT NO:** S000642

**SOURCE:** PAYNES CREEK
**TRIBUTARY TO:** SACRAMENTO RIVER
**COUNTY:** TEHAMA
**DIVERSION**
**WITHIN:** NE¼ OF SE¼ SECTION 35, T29N, R2W, MB&M.

**TELEPHONE NUMBER:** (916) 597-2133
**YEAR OF FIRST USE:** 1870
**PARCEL NO:**

A. Water is used under: Riparian claim _____ Pre 1914 right ✓ Other (explain); _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet ✓ Other _____

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1996 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1997 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1998 | | | | high water | | ✓ | ✓ | ✓ | ✓ | ✓ | | | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation approximately 90 acres; Stockwatering at barn ; Domestic 2 lawns, gardens

Other (specify) _____

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
Just repairing damages of El Nino

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water
   a. Describe any water conservation efforts you may have started: excess returns to the creek
   b. _____
   c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

   19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

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 which unreasonably affects such water for other beneficial uses? YES ____ NO ✓.

SEP 13 1999

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ____ NO ✓.

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19____ _____ (af/mg) 19____ _____ (af/mg) 19____ _____ (af/mg)

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

DATE: 5-7-~~99~~, 1999 at Dales, Red Bluff, Tehama Co., California

SIGNATURE: Shirley J. Carter

PRINTED NAME: Shirley ~~J. Carter~~ J. Carter
(first name) (middle init.) (last name)

~~COMPANY~~ Trust NAME: The Leila M. Dale Land Trust

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

C I am sorry that I do not know the actual acre foot used. I only know that it is the same dam and ditch with the same amount of water for the past 25 years. My last report said annual use was 235 acre feet. If needed I could get someone more ~~knowledge~~ knowledgable.

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 sources 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 store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. 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 diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

S-642

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS
P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-2170

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** JAMES C DALE, SHIRLEY J CARTER, AUDREY A NUECHLERTEIN
The Leila M Dale Land Trust

JAMES C DALE or Shirley J Carter
~~ROUTE 5, BOX 22~~ 25870 Hwy 36 E
RED BLUFF, CA 96080

**STATEMENT NO:** S000642

**SOURCE:** PAYNES CREEK
**TRIBUTARY TO:** SACRAMENTO RIVER
**COUNTY:** TEHAMA
**DIVERSION WITHIN:** NE¼ OF SE¼ SECTION 35, T29N, R2W, MB&M.

**TELEPHONE NUMBER:** (916) 597-2133
**YEAR OF FIRST USE:** 1870
**PARCEL NO:**

A. Water is used under: Riparian claim _____; Pre 1914 right ✓; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

| YEAR | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT | OCT. | NOV. | DEC | TOTAL ANNUAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1993 | | | | ½ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1994 | | | | ½ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1995 | | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | | | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation approximately 90 acres; Stockwatering water for barn; Domestic 2 homes
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
same

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: 6-24-~~96~~, 19 96, at Dales, Red Bluff (Tehama Co.), California

SIGNATURE: Shirley J Carter

PRINTED NAME: Shirley (FIRST NAME) Jean (M. NAME) Carter (LAST NAME)

~~COMPANY~~ Trust NAME: The Leila M Dale Land Trust

**See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.**

WR40-1 (4/96)

**ITEM** **CONTINUATION**

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. 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 to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

S-642

12-12-95

** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

# STATE WATER RESOURCES CONTROL BOARD
## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

**STATEMENT NO:** S000642
**OWNER OF RECORD:** JAMES C DALE, Shirley J. Carter & Audrey A. Nuechterlein since Jan 1, 1995 The Leila M Dale Land Trust with the 3 persons listed as Trustees.

JAMES C DALE
ROUTE 5, BOX 22
RED BLUFF, CA 96080

**SOURCE:** PAYNES CREEK
**TRIBUTARY TO:** SACRAMENTO RIVER
**COUNTY:** TEHAMA
**DIVERSION**
**WITHIN:** NE¼ OF SE¼ SECTION 35, T29N, R2W, MDB&M.

**TELEPHONE NUMBER:** (916) 597-2133
**YEAR OF FIRST USE:** 1870
**PARCEL NO:**

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.**

A. Water is used under: Riparian claim _____; Pre 1914 right ✓; Other (explain) ~~[illegible]~~

B. Year of first use (Please provide if missing above) 1870 (this family about 1906)

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ❑ Gallons ❑ Acre-feet ❑ (other) _____

| | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC | TOTAL ANNUAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1992 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1993 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1994 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering horses & cattle; Domestic 2 homes
Other (specify) about 90 acres in a good year

*** CONTINUE ON BACK PAGE ***

WR40-1 (1/95)

***** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS *****

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

no changes

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: May 15, ~~1995~~ 1995, at Red Bluff, California

SIGNATURE: Shirley J. Carter

PRINTED NAME: Shirley (FIRST NAME) Jean (M. NAME) Carter (LAST NAME)

COMPANY NAME: The Leila M. Dale Land 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.

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. 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 to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

# STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

**STATEMENT NO.** _____

**DIVERSION SITE:**

**OWNER'S NAME** Don & Janelle Kish
(FIRST) ~~(MIDDLE)~~ (LAST)

**PARCEL NO.** not known to me

**PLACE OF USE:**

**OWNER'S NAME** Leila M. Dale Land Trust
(FIRST) (MIDDLE) (LAST)

Shirley J. Carter
James C. Dale
Audrey A. Nuechterlein

1. **PARCEL NO.** 009-140-11-1
2. **PARCEL NO.** 009-190-32-1
3. **PARCEL NO.** 009-190-21-1

**PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL STATEMENTS:**

**OWNER/LESSEE/AGENT/OTHER** Trustee of Land Trust

**NAME** Shirley J. Carter
(FIRST) (MIDDLE) (LAST)

**MAILING ADDRESS** Rt. 5, Box 22
Red Bluff, CA 96080
(CITY) (STATE) (ZIP)

**TELEPHONE NO.** (916) 597 - 2133

**OTHERS USING ABOVE DIVERSION LOCATION:**

1. **NAME** _____
(FIRST) (MIDDLE) (LAST)

**MAILING ADDRESS** _____
(CITY) (STATE) (ZIP)

**TELEPHONE NO.** (_____) _____ - _____

2. **NAME** _____
(FIRST) (MIDDLE) (LAST)

**MAILING ADDRESS** _____
(CITY) (STATE) (ZIP)

**TELEPHONE NO.** (_____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

(1/95)

# STATE WATER RESOURCES CONTROL BOARD
## DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 000042

SHIRLEY J CARTER ET AL
ROUTE 5, BOX 22
RED BLUFF, CA 96080

TELEPHONE NUMBER:
(916) 527-2133

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: PAYNES CREEK

TRIBUTARY TO: SACRAMENTO RIVER

COUNTY: TEHAMA YEAR OF FIRST USE: 1870

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 35, T29N, R02W, MDB&M.

STATE WATER RESOURCES CONTROL BOARD
1994 JUN 13 PM 3:21
DIV. OF WATER RIGHTS
SACRAMENTO

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1994**

A. Water is used under: Riparian claim ✓; Pre 1914 right 1909; Other (explain) _____

B. Year of first use (Please provide if missing above) My family bought the property in 1909

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

| | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. | TOTAL ANNUAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1991 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | part of Nov. | | |
| 1992 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | part of Nov. | | |
| 1993 | | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | part of Nov. | | |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 90 to 100 acres; Stockwatering horses + cattle; Domestic gardens
~~Other (specify)~~ and yards for two homes

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

improved ditches

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: 6-8-, 1994, at Dales Station, Red Bluff, California

Signature: Shirley J Carter

WR 40-I (1/94)
FOR0127R2

0292 1993

# 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 sources 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 store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. 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 to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE OF CALIFORNIA
*STATE WATER RESOURCES CONTROL BOARD*
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 324-5676

# SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000642

SHIRLEY J CARTER ET AL
ROUTE 5, BOX 22
RED BLUFF, CA 96080

TELEPHONE NUMBER:
(916) 597-2133

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: PAYNES CREEK

TRIBUTARY TO: SACRAMENTO RIVER

COUNTY: TEHAMA

DIVERSION
WITHIN: NE1/4 OF SE1/4 SECTION 35, T29N, R02W, MDB&M.

INSTRUCTIONS: Please complete Items A. B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

| | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1988 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1989 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | |
| 1990 | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Between 90 and 100 acres

Stockwatering water at the barn + nearby pasture for horses, cattle

Domestic gardens and yards for live homes

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

none other than ditch improvements

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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

DATED: Mar. 18, ~~1991~~, 19 91, at Dales Station, Red Bluff, California

Signature: Shirley J Carter

WR 40-I (2/90)

0292

1990

# 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 store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

# STATEMENT OF WATER DIVERSION AND USE

S642

*This statement should be typewritten or legibly written in ink.*

A. Name of person diverting water WALTER DALE.
Address RTE. 5. RED BLUFF CALIF. 96080

B. Name of body of water at point of diversion PAYNES CREEK AND SPRINES
Tributary to PAYNES CREEK

C. Place of diversion N.E. ¼ S.E. ¼ Section 35 ?? Township 29, Range N, 2 W. B&M, County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works DAM. CEMENTED STONE

E. Capacity of diversion works PRACTARALY NONE
Capacity of storage reservoir NONE.
State quantity of water used each month in gallons or acre-feet

cubic feet per second
gallons per minute
gallons
acre-feet

| Year | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| ACRE FT. | 10 | 10 | 10 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 10 | 10 | 750 |

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
WATER USED FOR DOMESTIC. AND STOCK WATER.

Maximum annual water use in recent years 750 A.F. gallons acre-feet
Minimum annual water use in recent years 750 A.F. gallons acre-feet
Type of diversion facility: gravity ✓, pump ✓
Method of measurement: weir ___, flume ___, electric power meter ___, water meter ___, estimate ✓

F. Purpose of use (what water is being used for) IRRIGATION. DOMESTIC. FISH PONDS AND LIVESTOCK

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
DIV. FROM CREEK APX. 1M. DITCH. SPRINGS ADJACENT TO FEILDS

H. Year of first use as nearly as known 1870

I. Name of person filing statement WALTER DALE.
Position OWNER Organization WALTER & LEILA M. DALE
Address RTE. 5. RED BLUFF. CALIF. 96080

*I certify that the foregoing statements are true and correct to the best of my knowledge and belief.*

Date signed May. 2. 1967 Signature Walter Dale

*See Instructions on Reverse Side*

SWRB 40