State Water Resources Control Board

Executive Office
Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California • 95814 • 916.341.5615
P.O. Box 100 • Sacramento, California • 95812-0100
Fax 916.341.5621 • www.waterboards.ca.gov

Dan Skopec
Acting Secretary

Arnold Schwarzenegger
Governor

File

In Reply Refer
to:341:SWM:S001471

2006 SEP 22 PM 12: 29
DIV. OF WATER RIGHTS
SACRAMENTO
STATE WATER RESOURCES
CONTROL BOARD

September 14, 2006

Ron Tobin and Cathy Tobin
P.O. 2336
Flournoy, CA 96029

Dear Mr. and Mrs. Tobin:

STATEMENT 1471 – THOMAS CREEK IN TEHAMA COUNTY

This letter is in response to the telephone conversation I had with Cathy Tobin on September 14, 2006. Per Ms. Tobin's request, we will update our records to show ownership of Statement 14712 in the names of Ron Tobin and Cathy Tobin. If you have any questions, please do not hesitate to write, or telephone me at (916) 341-5352.

Sincerely,

Scott McFarland, P.E.
License Unit

cc: Dan & Sydney Kurtz
P.O. Box 2368
Flournoy, CA 96029

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

S001471

2004, 2005, 2006

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, 2007**

Primary Owner: RON TOBIN

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING
RON TOBIN
PO BOX 2336
FLOURNOY, CA 96029

Matt Meyers

STATEMENT NO.: S001471
CONTACT PHONE NO.:

Source Name: THOMES CREEK
Tributary To: SACRAMENTO RIVER
County: Tehama
Diversion Within: __¼ of NE¼ Section 35 T24N, R06W, MB&M

Year of First Use: 1894
Parcel Number:

A. **Water is Used Under**: Riparian claim X Pre-1914 right X Other (explain): _____

B. **Year of First Use**: (Please provide if missing above) 1894

C. **Amount of Use**: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) _____ Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004					3-04	→					Nov 1		1500-2000
2005					5-1-05	→					Nov 10		1500-2000
2006					3-10-06	→					Nov. 5		1500-2000

minors inches per year

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

Irrigation 70-100 acres; Stockwatering 40 pairs; Domestic 0

Other (specify) to 70 pairs depending on year-

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 LOCATION NEW HEADGATE 36" round~~ pipe cement headgate Water coming in varies every year with flow of creek-

F. 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 ____

Received 7/9/07

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 X.

   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 X.

   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: 4-14, 20 07 at Flournoy CA, California

SIGNATURE: Cathy C. Tobin for Ronald C. Tobin

PRINTED NAME: Cathy C. Tobin / Ronald C. Tobin
(first name) (middle initial) (last name)

COMPANY NAME: _____

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

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. Since 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.

From: Scott McFarland
To: Ledesma, Delia
Date: 9/14/06 9:11:50 AM
Subject: Ownership assignment

Delia:
Please change ownership of the following:

Statement: S001471

Remove: Dan and Sydney Kurtz

Assign to:

Ron Tobin 10036199
Cathy Tobin 10036200
P.O. Box 2336
Flournoy, CA 96029

I sent out assignment letters and sent copy to files.

Thanks,

Scott Mc.

State Water Resources Control Board

Dan Skopec
Acting Secretary

Executive Office
Tam M. Doduc, Board Chair
1001 I Street • Sacramento, California • 95814 • 916.341.5615
P.O. Box 100 • Sacramento, California • 95812-0100
Fax 916.341.5621 • www.waterboards.ca.gov

SURNAME

Arnold Schwarzenegger
Governor

In Reply Refer
to:341:SWM:S001471

September 14, 2006

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P.O. 2336
Flournoy, CA 96029

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Sincerely,

Scott McFarland, P.E.
License Unit

cc: Dan & Sydney Kurtz
P.O. Box 2368
Flournoy, CA 96029

10014369

10014370

WRIMS notified via e-mail 9-14-06

URNAME | S. McFarland

State Water Resources Control Board

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Sincerely,

Scott McFarland, P.E.
License Unit

cc: Dan & Sydney Kurtz
P.O. Box 2368
Flournoy, CA 96029

WRIDAS notified via e-mail 9-14-06

SURNAME S. McFarland

DCL 9/27/06

DU BR

OCT 03 2006

OCT 03 2006

** 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: S001471
OWNER OF RECORD: SYDNEY KURTZ

P.O. RETURNED

SYDNEY KURTZ
P O BOX 2368
FLOURNOY, CA 96029

SOURCE: THOMES CREEK
TRIBUTARY TO: SACRAMENTO RIVER
COUNTY: TEHAMA
DIVERSION
WITHIN: ¼ OF NE¼ SECTION 35, T24N, R6W, MDB&M.

TELEPHONE NUMBER: (916) 833-5550
YEAR OF FIRST USE: 1894
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) _____

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) _____

	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 _____; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

*** 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.)

_____

_____

_____

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: _____, 19____, at _____, California

SIGNATURE: _____

PRINTED NAME: _____ _____ _____
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: _____

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
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD: STATEMENT NO: 001471

DAN & SYDNEY KURTZ
P O BOX 2368
FLOURNOY, CA 96029

TELEPHONE NUMBER:
(916) 833-5550

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

SOURCE: THOMES CREEK

TRIBUTARY TO: SACRAMENTO RIVER

COUNTY: TEHAMA YEAR OF FIRST USE: 1894

DIVERSION
WITHIN: 1/4 OF NE1/4 SECTION 35, T24N, R06W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

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) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991													
1992													
1993													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____acres; Stockwatering _____; Domestic _____
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.)

_____

_____

_____

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: _____, 19 _____, at _____, California

Signature: _____

WR 40-I (1/94)
FOR0127R2

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S 1471

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Emilio Joe Triulzi and Joe A. Triulzi

Address Flournoy, California 96029

B. Name of body of water at point of diversion Thomas Creek, Tehama County

Tributary to Sacramento River

C. Place of diversion Approx. 1½ miles east of Paskonta ¼ ¼ Section ____, Township 24, Range 6W, B&M, Tehama County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks. Landmark (Shale Bluff)

D. Name of works Unknown

E. Capacity of diversion works Head gate opening (22 X 68 inches) cubic feet per second / gallons per minute

Capacity of storage reservoir ____ gallons / acre-feet

State quantity of water used each month in gallons or acre-feet

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

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. Approximately 115 head of cattle watered and 80 acres irrigated.

Maximum annual water use in recent years Sufficent for above purpose. gallons / acre-feet

Minimum annual water use in recent years " " " " " " gallons / acre-feet

Type of diversion facility: gravity X, pump ____

Method of measurement: weir ____, flume ____, electric power meter ____, water meter ____, estimate X

F. Purpose of use (what water is being used for) Irrigation and stock water.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) NE-¼ and lot 7-8 of Se-¼------Sec. 35 Township 24 NR-6W

H. Year of first use as nearly as known 1894 (possibly prior to this date)

I. Name of person filing statement Emilio Joe Triulzi and Joe A. Triulzi

Position ____ Organization Partnership

Address Flournoy, California

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

Date signed June 25, 1967

Signature Joe Triulzi
Emilio Joe Triulzi

See Instructions on Reverse Side

SWRB 40 (8-66)

77750-057 8-66 5000 ⓘ Δ GGP