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://www.waterrights.ca.gov

S011440%S%2003
2001, 2002, 2003

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 August 1, 2004.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: MICHAEL M WIEGNER SR;

2004 NOV 15 AM 11:26

STATEMENT NO.: S011440
CONTACT PHONE NO.: ~~(415)897-2104~~ (972)617-8674

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
MICHAEL M WIEGNER ~~SR~~ JR
~~1690 HILL RD STE B~~ 102 CEDAR DR
~~NOVATO, CA 94947~~ OAK LEAF, TX
75154

Source Name: MAD CREEK
Tributary To: RATTLESNAKE CREEK
County: Mendocino
Diversion Within: NW1/4 of NE1/4 Section 27, T23N, R16W, MB&M

Year of First Use: 1953
Parcel Number: 12-710-42
12-710-44

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

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

C. Amount of Use – Enter the amount (or the approximate amount) of water used each month.

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

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2001	X	X	X	X	X	X	X	X	X	X	X	X	UNKNOWN
2002	X	X	X	X	X	X	X	X	X	X	X	X	UNKNOWN
2003	X	X	X	X	X	X	X	X	X	X	X	X	UNKNOWN

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

Irrigation 30 acres; Stockwatering 6 ; Domestic 20 people

Other (specify) Fire Protection, Drinking Water, Irrigation

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. 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 X
   Describe any water conservation efforts you have initiated: _____

   b. 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:

   Reductions in Diversions:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

   Reductions in consumptive use:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)

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

~~8-08-05~~ PLM
WRMS

5-11-05
PLM

ST-SUPPL (6-03)

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 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:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to wastewater reclamation. 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 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:

   yr_____ _____ (af/mg) yr_____ _____ (af/mg) yr_____ _____ (af/mg)
   I have data to support the above surface water use reductions due to conjunctive use efforts. 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: 10-25 (OCTOBER) 25, 2004 at OAK LEAF, TEXAS, ~~California~~

SIGNATURE: Michael M Wiegner

PRINTED NAME: Michael (first name) M (middle init.) Wiegner JR (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 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 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. Appropriate 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.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"

STATE W[redacted]R RESOURCES CONTROL BOARD, DIVISION OF W[redacted]ER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

Duplicate 10-15-99
S011440

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.

99 NOV -2 PM 2:14
DIV. OF WATER RIGHTS
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: ~~CELESTE WIEGNER,~~ MICHAEL M WIEGNER SR

MICHAEL M WIEGNER SR
1690 HILL RD STEB
NOVATO, CA 94947

STATEMENT NO: S011440

SOURCE: MAD CREEK
TRIBUTARY TO: RATTLESNAKE CREEK
COUNTY: MENDOCINO
DIVERSION
WITHIN: NW¼ OF NE¼ SECTION 27, T23N, R16W, MB&M.

TELEPHONE NUMBER: (415) 897-2104
YEAR OF FIRST USE: 1953
PARCEL NO: AP 12-710-42, 12-710-44

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

B. Year of first use (Please provide if missing above) 1953.

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
1995	X	X	X	X	X	X	X	X	X	X	X	X	?
1996	X	X	X	X	X	X	X	X	X	X	X	X	?
1997	X	X	X	X	X	X	X	X	X	X	X	X	?

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 30 acres; Stockwatering 6; Domestic 20 people
Other (specify) Fire Protection, drinking water irrigation

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.) 1½" pipe gravity flow from mad creek

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: July 1, 1999 at Marin, Novato, California

SIGNATURE: Michael M Wiegner Sr

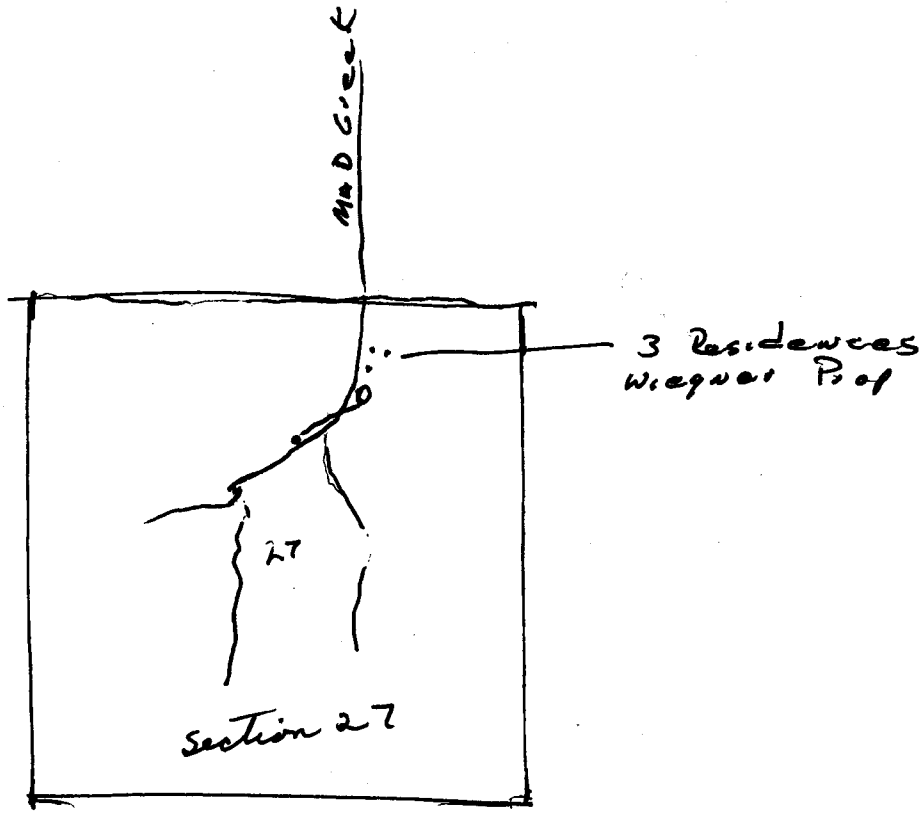
PRINTED NAME: Michael (FIRST NAME) M (MIDDLE INIT.) Wiegner Sr (LAST NAME)

COMPANY NAME: M&T Electric

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.

WR 40-1

DEC 28 1999


Mad Creek
3 Residences
Wiequai Prop
27
Section 27

JURNAL FILES

S11440

State Water Resources Control Board

Winston H. Hickox
Secretary for Environmental Protection

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-2046
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: http://www.swrcb.ca.gov
E-Mail: rduff@waterrights.swrcb.ca.gov

Gray Davis
Governor

In Reply Refer
to:341:RMD:13240 &
S11440

OCTOBER 18 1999

Michael M. Wiegner, Sr.
1690 Hill Road, Suite B
Novato, CA 94947

Dear Mr. Wiegner:

LICENSE 4018 (APPLICATION 13240) UNNAMED SPRING TRIBUTARY TO MAD CREEK AND STATEMENT NO. 11440 MAD CREEK IN MENDOCINO COUNTY

This letter is to follow up our phone conversation on October 13, 1999 concerning the status of the above-referenced water rights.

Ownership Update:

Our records currently show the ownership of the appropriative water right covered by License 4018 (Application 13240) in the name of "Theresa Wiegner" and the claim of riparian water covered by Statement No. 11440 in the names of "Michael Wiegner and Celeste Wiegner".

As requested, unless notified otherwise in the next 30 days, we will update our records to show you as the sole owner of the water rights covered by License 4018 and Statement No. 11440 as follows:

Michael M. Wiegner, Sr.
1690 Hill Road, Suite B
Novato, CA 94947
(415) 897-2104

There is no fee required for the ownership update. Enclosed are copies of Statement No. 11440 as well as License 4018, the 1953 Inspection Report, and map describing the licensed project. We do not reissue the license in your name. You should keep a copy of this letter with the copy of License 4018.

Background:

All individuals, businesses, or public and private entities diverting surface water (including ground water flowing through known and definite channels) must have a valid water right for the diversion. California recognizes a number of different types of water rights. The two most common types of water rights are *riparian* and *appropriative*.

RMDuff
10-15-99

Riparian water rights usually come with owning a parcel of land that is adjacent to a source of water. The riparian water right entitles the diverter to use a portion of the water naturally flowing past the property. Riparian water rights do not entitle the water user to divert water to storage in a reservoir or to use water on land outside of the watershed. Riparian water rights do not require a water right permit, license, or governmental approval.

Appropriative water rights can be obtained by individuals, businesses, or other entities that: (1) do not have valid riparian rights, (2) who plan to seasonally store water in a reservoir, or (3) who plan to use water on parcels that are not adjacent to the source of water. There are several ways of obtaining an appropriative water right. The most common approach is the application-permit-license procedure. This procedure for obtaining an appropriative water right begins with the filing of an application and associated fees with the Division of Water Rights. After environmental review, public notice, and resolution of any protests, a water right permit is issued with specific terms and conditions. The permit also specifies when the project must be completed. After project completion and the maximum amount of water has been placed to beneficial use, the last step is issuance of license that is the final confirmation of the water rights.

Appropriative Water Right - License 4018:

License 4018 covers a year-round diversion of 6,500 gallons per day for domestic use at three residences (including outside watering of about 0.5 acre of grounds) in Lot 2, Section 27, T23N, R16W, MDB&M. The licensed project is described in more detail in the 1953 Inspection Report.

An appropriative water right license can be reduced or revoked after five continuous years of nonuse, or due to noncompliance with terms and conditions. To track the status and actual water use under the terms and conditions of the permit, we distribute a pre-printed form, "Report of Licensee", on three-year intervals.

The reporting for License 4018 is not in good standing because the last Report of Licensee we received was for the three-year interval of 1992, 1993, and 1994. Enclosed for your completion is a duplicate Report of Licensee for water diversions for the three-year interval of 1995, 1996 and 1997. In early 2001, you should receive the Report of Licensee for the three-year interval of 1998, 1999, and 2000. There are no fees required to file the Reports.

Riparian Water Right - Statement No. 11440:

Statement No. 11440 covers a gravity diversion from Mad Creek under claim of riparian right for domestic, irrigation, and fire protection uses. A valid riparian right (or pre-1914 appropriative right) is a vested right that is generally superior (higher priority) to any appropriative right administered by the Division of Water Rights under the Water Commission Act of 1914.

The validity of a claim of riparian right often involves complex issues of fact and law regarding stream contiguity, land ownership issues, and chain-of-title. Because a riparian does not require a permit, license, or governmental approval, it is our policy not to render any advisory opinions regarding the validity of a specific claim of riparian right.

However, the Division of Water Rights does maintain statewide records of surface water diversions initiated under claim of riparian rights (and pre-1914 appropriative rights). Use of water under a claim of riparian right or pre-1914 appropriative right is documented by filing a "Statement of Water Diversion and Use" (Statement). A Statement is completed for a diversion during a calendar year and should be filed before July 1 of the succeeding year. We assign each new Statement a unique number. Your Statement has been assigned the number "S11440". Thereafter, we distribute pre-printed Supplemental Statement forms at three-year intervals for the owners to summarize their actual water use. The last completed Supplemental Statement form for S11440 covered the three-year interval of 1984, 1985, and 1986. Enclosed is a duplicate copy of the Supplemental Statement form covering the three-year interval of 1995, 1996, and 1997. In early 2001, you should receive the Supplemental Statement form for the three-year interval covering 1998, 1999, and 2000. There are no fees required to file the Supplemental Statement forms.

If you have any questions, please write or telephone me at (916) 657-2046.

Sincerely,

ORIGINAL SIGNED BY

Ronald M. Duff
Associate WRC Engineer
Permit and License Unit

Enclosures

cc: Theresa Wiegner
67 Navajo Avenue
San Francisco, CA 94112

RMDuff:mluna
d:\rmd\13240\10-15-99

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

"FILE"

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5741

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 011440

MICHAEL & CELESTE WIEGNER
ROUTE 2, BOX 95
LEGGETT, CA 95455

TELEPHONE NUMBER:
(707) 984-6954

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

SOURCE: MAD CREEK

TRIBUTARY TO: RATTLESNAKE CREEK

COUNTY: MENDOCINO

DIVERSION
WITHIN: NW1/4 OF NE1/4 SECTION 27, T23N, R16W, 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, 1987. (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
1984	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	NOT KOWN
1985	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	"
1986	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	"

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

Irrigation: 30 acres

Stockwatering: 3

Domestic: 6 people

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

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: Dec. 21, 19 86, at Leggett, California

Signature: Celeste Wiegner

DEC 2 6 1986

WR 40-L (11/85)
0756

1986

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.

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 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
1986 DEC 26 AM 11:53
DIV. OF WATER RIGHTS
SACRAMENTO

(S-11440) LKF

S11440

See - Appl #13240

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

JUN 19 4 02 AM '84

DIV. OF WATER RIGHTS SACRAMENTO

A. Name of person diverting water: Michael & Celeste Wiegner

Address: Rt. 2 Box 95, Leggett, Ca. 95455 Telephone: 707-984-6954

B. Name of body of water at point of diversion: Mad Creek

Tributary to: Rattlesnake Creek

C. Place of diversion NW ¼ NE ¼ Section 27, Township 23N, Range 16W, MD B&M, Mendocino 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: Gravity flow water line from Mad Creek

E. Capacity of diversion works: 1½" plastic pipe (cubic feet per second / gallons per minute)

Capacity of storage reservoir: unkown (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	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.

30 acres, four head stock watered, five people served

Maximum annual water use in recent years: unkown (gallons / acre-feet)

Minimum annual water use in recent years: unkown (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): Fire protection, drinking water, irrigation.

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

Property bordering Mad Creek NW¼ NE¼ SECT.27 Township 23N, Range 16W MDB&M

H. Year of first use as nearly as known: 1976

I. Name of person filing statement: Michael Wiegner

Position: owner Organization: ____

Address: Rt. 2 Box 95, Leggett, Ca. 95455 Telephone: 707-984-6954

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

DATED: June 7, 19 84, at Leggett, California.

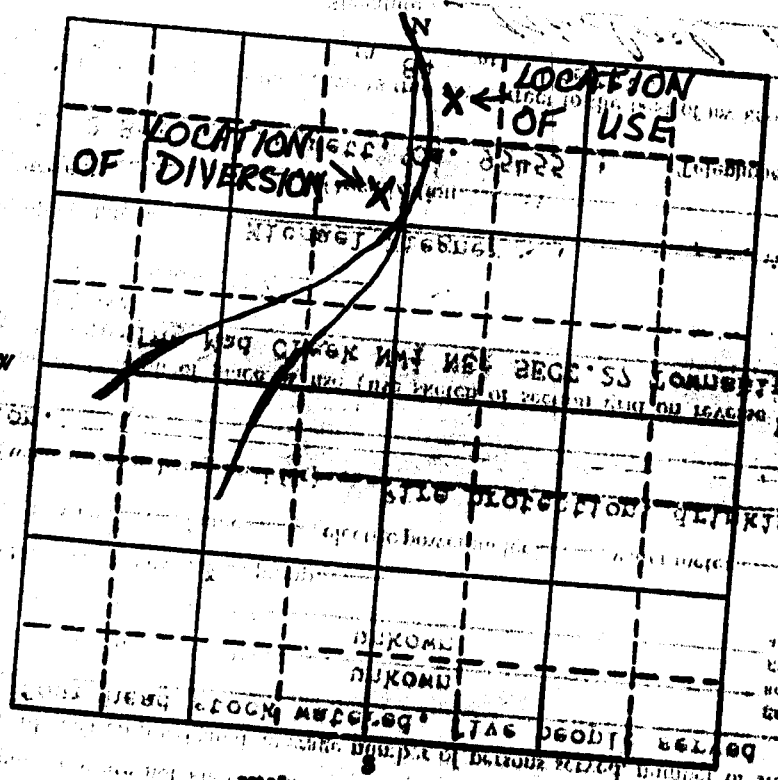
Signature: Michael Wiegner

See Instructions on Reverse Side

WR 40 (7/77)

1-012-44-01-0 E-34

The location of the diversion point and the place of use may be sketched on this section grid. If it is used, please enter the section(s), township and range below and show any streams or other landmarks that will assist in identifying the area.



NW¼ NE¼

Section(s) 27

Township 23N ; Range 16W ; MDB&M

INSTRUCTIONS:

A separate statement should be filed for each point of diversion.

A duplicate copy will be returned for your file.

Please send the completed statement to: STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights
77 Cadillac Drive
Sacramento, CA 95825