



**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION D031460

CERTIFICATE D647

Right Holder: Gary M. Glaze
18625 Rock Creek Road
Nevada City, CA 95959

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from **October 29, 2003**. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated July 6, 2012. The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small domestic use appropriation and that the registration renewal requirements have been met, therefore the registration is renewed. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Source of water: **Unnamed Stream**

tributary to: **Rock Creek thence South Fork Yuba River thence Yuba River thence Feather River thence Sacramento River**

within the County of **Nevada**.

2. Location of place of storage

By California Coordinate System of 1983 in Zone 2	County	Assessor's Parcel Number
North 2,237,273 feet and East 6,843,379 feet	Nevada	34-040-36

3. Purpose of use	4. Place of use	
	County	Assessor's Parcel Number
Domestic and the following incidental uses: Aesthetic, Recreational and Fish and Wildlife Preservation and Enhancement	Nevada	34-040-36

The place of use is shown on map on file with the State Water Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **1.0 acre-foot per year** to be collected from November 1 of each year to April 30 of the succeeding year. The capacity of the reservoir shall not exceed **1.0 acre-foot**.
6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, and quantity and season of diversion. This information is reproduced as conditions 1 through 5 of this certificate.
10. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
11. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by State Water Board, or as otherwise authorized by the Water Code.
12. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or

around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.

13. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.
14. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
15. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
16. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife.
17. This right does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
18. This right is subject to the submittal of a report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current renewal fees prior to the expiration of each five-year period following the priority date of this right. (Wat. Code, § 1228.5.)
19. This right shall be revoked by operation of law upon failure of the right holder to renew the right as required by the conditions of this certificate. (Wat. Code, § 1228.5, subd. (d).)
20. Right holder is on notice that: (1) failure to timely commence or complete construction work or beneficial use of water with due diligence, (2) cessation or partial cessation of beneficial use of water, (3) failure to observe any of the terms or conditions of this right, or (4) a finding by the State Water Board that the right holder knowingly made a false statement or knowingly concealed any material fact in the registration, may be cause for the State Water Board to

consider revocation (including partial revocation) of this right. (Wat. Code, § 1228.4.)

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
SCOTT MCFARLAND FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: JAN 13 2015

DEPARTMENT OF FISH AND GAME

SACRAMENTO VALLEY AND CENTRAL SIERRA REGION
 1701 NIMBUS ROAD, SUITE A
 RANCHO CORDOVA, CA 95670
 Telephone (916) 358-2900

Gary 358-6920
Hobgood

STATE WATER RESOURCES
CONTROL BOARD

2003 SEP - 2 AM 11:05

DIV. OF WATER RIGHTS
SACRAMENTO

August 27, 2003

(530) 265-3184 per Gary Hobgood 10-21-03

Gary M. Glaze
 11983 Incline Shaft Road
 Nevada City, CA 95959

Dear Mr. Graze:

Registration of Small Domestic Use Appropriation

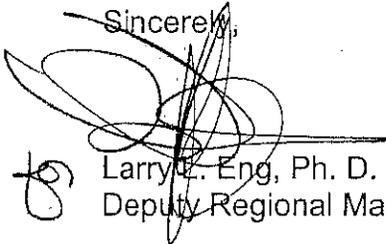
The Department of Fish and Game (Department) has reviewed your Small Domestic Use Registration application for a pond within an unnamed tributary to Rock Creek, Nevada County.

Registration of water use, pursuant to the Water Code (§ 1228.3), requires consultation with the Department and compliance with all lawful conditions required by the Department. The Department reviews the appropriation of water to ensure fish and wildlife resources are protected. The Department recommends the following conditions for your project to avoid significant adverse environmental impacts.

1. Prior to any construction work within or adjacent to the stream, notify the Department pursuant to Section 1603 of the Fish and Game Code and obtain a Lake or Streambed Alteration Agreement (LSAA) from the Department. Visit the Department's Web Site at <http://www.dfg.ca.gov/1600> or call (916) 358-2929 to obtain the notification forms for LSAA. Provide the Department a copy of your Stockpond Use Registration Certificate and a copy of this letter when submitting your notification to the Department. Please note that the Department's decision to execute a LSAA pursuant to Fish and Game Code Section 1600 is subject to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.) and may require environmental review.
2. On-stream dams must be built with an outlet control structure and engineered spillway. The Glaze Residence Earth Dam plan set, dated June 2003, prepared by Holdrege & Kull meets this requirement. Submit a copy of these plans to the Department when submitting your streambed alteration notification to the Department.

3. Small Domestic Use Registration does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit.

If you have questions regarding this matter, please contact Mr. Gary Hobgood, Environmental Scientist at (916) 983-6920 or Ms. Terry Roscoe, Habitat Conservation Planning Supervisor at (916) 358-2883.

Sincerely,

Larry E. Eng, Ph. D.
Deputy Regional Manager

cc: Mr. Edward C. Anton
State Water Resources Control Board
Division of Water Rights
Post Office Box 2000
Sacramento, CA 95812-2000

Mr. Rob Fingeron
Holdrege & Kull
792 Searls Avenue
Nevada City, CA 95959

Ms. Terry Roscoe
Mr. Gary Hobgood
Department of Fish and Game
Sacramento Valley – Central Sierra Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

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

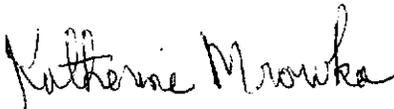
SMALL DOMESTIC USE REGISTRATION

RENEWAL ORDER FOR CERTIFICATE NO. R647

Application D031460R of Gary M. Glaze was filed with the State Water Resources Control Board (State Water Board) on October 29, 2003. The State Water Board issued Certificate No. R647 on June 30, 2004.

The subject appropriation meets the requirements for renewal specified in section 1228.5 of chapter 1, part 2, division 2 of the Water Code, and is hereby renewed for the next incremental five-year period to October 28, 2013, based on the above-stated date of first filing the completed registration.

The renewed appropriation is subject to the conditions of the original certificate and any previous amendments.



for Victoria A. Whitney, Chief
Division of Water Rights

Dated: **NOV 07 2008**

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF WATER RIGHTS

SMALL DOMESTIC USE REGISTRATION

CERTIFICATE NO. R 647

**Application D31460R of Gary M. Glaze
11983 Incline Shaft Road
Nevada City, CA 95959**

filed with the State Water Resources Control Board (SWRCB) on **October 29, 2003** meets the requirements for registration of small domestic use specified in Article 2.7 (commencing with section 1228) of Chapter 1 of Part 2 of Division 2 of the Water Code. The appropriation is subject to the following conditions.

1. Source:

Tributary to:

Unnamed Stream

Rock Creek thence

South Fork Yuba River thence

Yuba River thence

Feather River thence

Sacramento River thence

Suisun Bay

within the County of Nevada.

2. Location of Point of Diversion: By California Coordinate System of 1927, Zone 2	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
North 596,703 feet and East 2,281,993 feet	SE¼ of SE¼	30	17N	9E	MD

3. Purpose of Use:	4. Place of Use:	Section	Township	Range	Base and Meridian	Acres
DOMESTIC	SE¼ of SE¼	30	17N	9E	MD	

The place of use is shown on a map on file with the SWRCB.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 1.0 acre-foot per annum to be collected from November 1 of each year to April 30 of the succeeding year. The capacity of the reservoir shall not exceed 1.0 acre-foot which is the stated capacity shown in the registration.
6. Appropriation of water pursuant to this registration shall be made in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, and quantity and season of diversion. This information is reproduced as conditions 1 through 5 of this certificate.
7. The appropriation registered herein shall be limited to the use of water in houses, resorts, motels, organization camps, campgrounds, and other similar facilities, including the incidental watering of domestic stock for family sustenance or enjoyment, the irrigation of not to exceed one-half acre of lawn, ornamental shrubbery, or gardens at any single establishment, and the human consumption, cooking, and sanitary needs at campgrounds or resorts. Also, any storage of water registered herein may include impoundment for incidental aesthetic, recreational, or fish and wildlife purposes.
8. This appropriation is limited to the season of diversion specified in condition 5 herein. If such specified season is less than the actual season of need, an alternative supply of water, or other valid right, shall be utilized for all uses outside of the season registered herein.
9. Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this registration, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
10. Registrant shall allow representatives of the SWRCB, and other parties as may be authorized from time to time by the SWRCB, reasonable access to project works to determine compliance with the terms and conditions of this registration.
11. This appropriation is subject to prior rights. Registrant may be required to curtail diversion or release water stored during the most recent collection season should diversion under this registration result in injury to holders of legal downstream senior rights. If a reservoir is involved, registrant may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, registrant may be required to otherwise compensate the holders of such rights for injury caused.

12. If the registrant does not own the point of diversion, this registration shall not be construed as conferring upon the registrant right of access to the point of diversion.
13. To the extent that water available for use under this registration is return flow, imported water, or wastewater, this registration shall not be construed, as giving any assurance that such supply will continue.
14. Diversion works shall be constructed and water applied to beneficial use with due diligence.
15. No work shall commence and no water shall be diverted, stored or used under this certificate until registrant has received a stream or lake alteration permit from the California Department of Fish and Game. Compliance with the terms and conditions of the permit is the responsibility of the registrant. If a permit is not necessary for this project, the registrant should retain a written waiver from the California Department of Fish and Game.
16. In compliance with section 5937 of the Fish and Game Code, if storage or diversion of water under this registration is by means of a dam, registrant shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Game, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir.
17. The facilities for diversion under this registration shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Game.
18. No construction shall be commenced and no water shall be diverted under this registration until all necessary federal, state, and local approvals have been obtained, including obtaining and complying with any waste discharge requirements from the appropriate California Regional Water Quality Control Board.
19. This registration does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the

registrant shall obtain authorization for an incidental take prior to construction or operation of the project. Registrant shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this registration.

20. This registration is subject to the submittal of a report of water use and satisfactory renewal of the registration, on forms to be furnished by the SWRCB, including payment of the then-current renewal fees prior to the expiration of each five-year period following the date of first filing the completed registration.
21. The point or points of diversion and the place of use registered herein may be changed by filing a completed amended registration form with the SWRCB, including payment of the then-current registration fee. Such change shall not operate to the injury of any legal user of the water involved.
22. The appropriation registered herein shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
23. The appropriation registered herein is subject to enforcement, including but not limited to revocation, by the SWRCB if 1) the SWRCB finds that the registrant knowingly made any false statement, or knowingly concealed any material fact, in the registration; 2) the registration is not renewed as required by the conditions of this certificate; or 3) the SWRCB finds that the registrant is in violation of the conditions of this registration.

Dated: JUN 3 0 2004

STATE WATER RESOURCES CONTROL BOARD



Victoria A. Whitney *for*
Division Chief