

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

**DIVISION OF WATER RIGHTS**

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In the Matter of License 2703 (Application 9191)

**Philip Scott Gavin 2007 Trust**  
**ORDER REVOKING LICENSE**

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SOURCE: Fishes Mill Creek

COUNTY: Humboldt

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**WHEREAS:**

1. License 2703 was issued to Andrew Jackson Taylor on September 15, 1944, pursuant to Application 9191 and was recorded with the County Recorder of Humboldt County on March 13, 1950.
2. The Division's records were updated on June 21, 2012 to show Philip Scott Gavin 2007 Family Trust as the new owner.
3. Trustees Julie Devroux, Patrick Gavin, Rebecca Gavin, and Erin Bolton requested on August 12, 2013 that the license be revoked by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
4. The Division interprets the licensee's request for revocation as a waiver of the notice and hearing requirements set forth in California Water Code sections 1675 through 1675.1.
5. The State Water Board has delegated the authority to revoke water rights to the Deputy Director for the Division, pursuant to Resolution No. 2012-0029. The Deputy Director has redelegated this authority to the Assistant Deputy Directors, Program Managers, and Unit Seniors, pursuant to redelegation Order dated July 6, 2012.

**Therefore, it is ordered** that License 2703 is hereby revoked by the State Water Board, and the water is declared to be subject to appropriation. This revocation may not result in additional water being available for new appropriations if there are applicable restrictions due to past State Water Board decisions regarding water availability.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY  
Brian Coats for

*Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Dated: SEPTEMBER 23 2013



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

## License for Diversion and Use of Water

LICENSE 2703

PERMIT 5119

APPLICATION 9191

THIS IS TO CERTIFY, That **Andrew Jackson Taylor, Arcata, California**

Notice of Assignment (Over)

has made proof as of **May 17, 1943**  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of

**Fishes Mill Creek in Humboldt County**  
tributary to **Mad River**

for the purpose of **Domestic use and operating an hydraulic Ram**  
under Permit **5119** of the Department of Public Works and that said right to the use of said waters has  
been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works  
and the terms of the said permit; that the priority of the right herein confirmed dates from **November 29, 1937;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed **three hundredths (0.03) cubic**  
**foot per second or approximately nineteen thousand, five hundred (19,500) gallons**  
per day from January 1 to December 31 of each season.

This license is based on the use of water made during the year 1942 which was  
the year of maximum use within the three year period preceding the date of in-  
spection; namely, May 17, 1943.

The point of diversion of such water is located **South three hundred (300) feet and**  
**West four hundred twenty five (425) feet from N.E. corner of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of**  
**Section 6, T 6 N, R 1 E, H.B. & M., being within the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 6.**

A description of the lands or the place where such water is put to beneficial use is as follows:

**Within the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 6, T 6 N, R 1 E, H.B. & M.**

**Water not used for domestic purposes is returned to Fishes Mill Creek within**  
**the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 6, T 6 N, R 1 E, H.B. & M.**

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance  
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or  
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from  
time to time by the State Engineer.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion  
herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein conferred subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

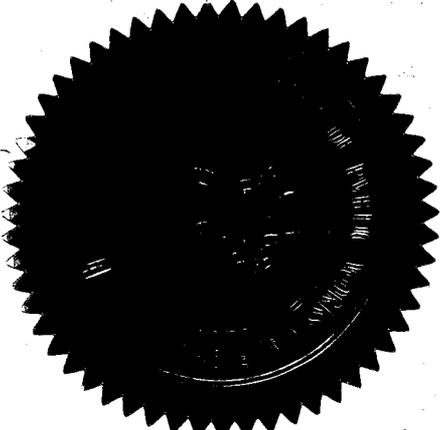
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public Works of the State of California, this 15th day of September, 1944

EDWARD HYATT, State Engineer

By \_\_\_\_\_ Deputy State Engineer



12/16/46 RECEIVED NOTICE OF ASSIGNMENT TO Cora N. Taylor  
12/26/41 asgd to Graun Scott

LICENSE 2703

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Andrew J. Taylor

DATED September 15, 1944

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