

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

DIVISION OF WATER RIGHTS

In the Matter of License 2762 (Application 27A)
Ruth Ann Spence

ORDER REVOKING LICENSE

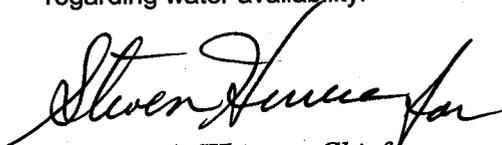
SOURCE: Sacramento River tributary to Suisun Bay

COUNTY: Colusa

WHEREAS:

1. A letter dated March 9, 2005 has been received from Ruth Ann Spence (Licensee), requesting revocation of the license by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
2. The Division interprets the Licensee's request for revocation as a waiver of the notice and hearing requirements set forth in Water Code sections 1675 through 1675.2.

Therefore, it is ordered that License 2762 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.


Victoria A. Whitney, Chief
Division of Water Rights

Dated:

AUG 02 2005

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 27-A

PERMIT 32

LICENSE 2762

ORDER ALLOWING CHANGE IN POINT OF DIVERSION AND
CHANGE IN PLACE OF USE

Licensees having established to the satisfaction of the State Water Rights Board that the change in point of diversion and change in place of use under Application 27-A, Permit 32, License 2762, for which petitions were submitted on June 3, 1957 will not operate to the injury of any other legal user of water, the State Water Rights Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 27-A, Permit 32, License 2762 to point of diversion described as follows, to wit:

NORTH THREE HUNDRED SIXTY (360) FEET AND WEST SEVENTEEN HUNDRED SEVENTY (1770) FEET FROM WEST QUARTER CORNER OF SECTION 7, T 17 N, R 1 W, MDB & M BEING WITHIN THE SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 12, T 17 N, R 2 W, MDB & M, and

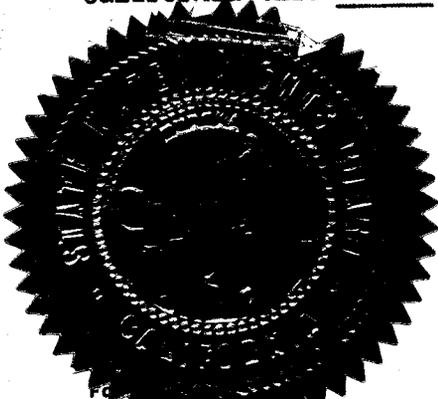
IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 27-A, Permit 32, License 2762 to a place of use described as follows, to wit:

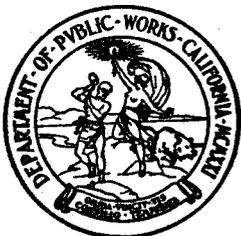
2.3 ACRES WITHIN SECTION 6, T 17 N, R 1 W, MDB & M
93.0 ACRES WITHIN SECTION 7, T 17 N, R 1 W, MDB & M
35.5 ACRES WITHIN SECTION 12, T 17 N, R 2 W MDB & M
130.8 ACRES TOTAL AS SHOWN ON MAP FILED FEBRUARY 15, 1957 WITH
STATE WATER RIGHTS BOARD.

WITNESS the hand and seal of the State Water Rights Board of the State of California this 14th day of October, 1957.

STATE WATER RIGHTS BOARD

By: Leslie C. Jopson
Leslie C. Jopson
Chief Engineer 3





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

License for Diversion and Use of Water

Notice of Assignment (Over)

LICENSE 2762

PERMIT 32

APPLICATION 27A

THIS IS TO CERTIFY, That **I. G. Zumwalt, George R. Zumwalt, Lionel R. Zumwalt and Ivy G. Zumwalt of Colusa, California**

have made proof as of **November 27, 1944** (the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of **Sacramento River in Colusa County**

tributary to **Suisun Bay**

for the purpose of **irrigation use** under Permit **32** 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 **April 2, 1915;**

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 **one and eighty-eight hundredths (1.88) cubic feet per second** from about **May 1** to about **November 30** of each season.

In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

This license is based on the use of water made during the year 1943 which was the year of maximum use within the three year period immediately preceding the date inspection.

The point of diversion of such water is located **South nine hundred twenty (920) feet from the N.W. corner of Section 7, T 17 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 7.**

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

40	acres	within	SE $\frac{1}{4}$	of	SW $\frac{1}{4}$	of	Section 6,	T 17 N,	R 1 W,	M.D.B. & M.
30	"	"	NW $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	7,	"	"	"
20	"	"	NE $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	7,	"	"	"
40	"	"	SW $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	7,	"	"	"
20	"	"	SE $\frac{1}{4}$	of	NW $\frac{1}{4}$	"	7,	"	"	"
150 acres total										

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.

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This license is granted and licensee accepts all rights herein confirmed 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 19th day of February, 1945

[SEAL]

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy State Engineer



11/21/51 name changed from J. G. Zumwalt to Estate of J. G. Zumwalt; & Lionel R. Zumwalt to Estate of Lionel R. Zumwalt.

4/29/55

RECEIVED NOTICE OF ASSIGNMENT TO

George R. Ivy G. Brady, Joanne Zumwalt, Geraldine Bradford, Mattie J. Keeley, Nancy Lewis & Ruth Lunden

1-8-90 assigned to Ruth Anne Spence

LICENSE 2762

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO I. G. George R. Lionel R. and Iva G. Zumwalt

DATED February 19, 1945