

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

DIVISION OF WATER RIGHTS

In the Matter of License 3456 (Application 9891)

Mary E. Matthews

ORDER REVOKING LICENSE

SOURCE: East Fork Russian River

COUNTY: Mendocino

WHEREAS:

1. License 3456 was issued to Charles H. Guntly and John Foster Guntly on March 31, 1952, pursuant to Application 9891 and was recorded by the County Recorder of Mendocino County on April 1, 1952.
2. License 3456 was subsequently assigned to Mary E. Matthews on September 15, 1994.
3. Mary E. Matthews requested on June 18, 2010, 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 Water Code sections 1675 through 1675.1.

Therefore, it is ordered that License 3456 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
JOHN O'HAGAN FOR:

Barbara Evoy
Deputy Director for Water Rights

Dated: AUG 04 2011



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

Notice of Assignment (Over)

License for Diversion and Use of Water

APPLICATION 9891

PERMIT 5595

LICENSE 3456

THIS IS TO CERTIFY, That Charles H. Guntly and John Foster Guntly
Route 2
Ukiah, California

Notice of Change (Over)

have made proof as of May 18, 1950
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
East Fork Russian River in Mendocino County
tributary to Russian River

for the purpose of irrigation use
under Permit 5595 of the Department of Public Works and that said right to the use of said water 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 May 8, 1940;
and 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 one tenth (1.1)
cubic feet per second to be diverted from about May 1 to about November 1 of each
year.

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.

The point of diversion of such water is located on East bank of the East Fork of
Russian River at the point of intersection of the South line of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
Section 5, T 16 N, R 11 W, M.D.B.&M., being within NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 5.

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

15 acres within NW $\frac{1}{4}$ of NE $\frac{1}{4}$,
40 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$,
15 acres within SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and
4 acres within SE $\frac{1}{4}$ of NE $\frac{1}{4}$,
74 acres total, all in Section 5, T 16 N, R 11 W,
M.D.B.&M., as shown on map filed with State Engineer.

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 hereby confirmed to the diversion and use of water is restricted to the point or points 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).

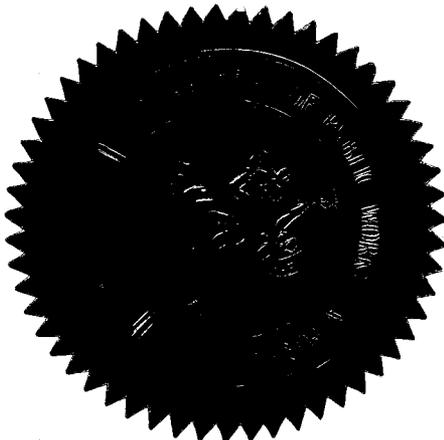
Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

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 31st day of March, 1952

A. D. EDMONSTON, State Engineer

5/6/65 RECEIVED NOTICE OF ASSIGNMENT TO of Int of Charles Guntly to J. F. Guntly

6/30/65 RECEIVED NOTICE OF ASSIGNMENT TO Joseph Rea, Alfred F. Antoni, Jr, Jack Cox + Coral Ornbauer

10-4-67 RECEIVED NOTICE OF ASSIGNMENT TO A.C. + Helen McClanney

10-29-71 RECEIVED NOTICE OF ASSIGNMENT TO Frank C. Nelson

11-22-71 RECEIVED NOTICE OF ASSIGNMENT TO Boyard - Matthews

Machinery Company

6-15-79 name changed to Matthews Machinery Co.

3-21-85 asg to Mary E. Matthews Enterprises

LICENSE 3456 STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER RESOURCES STATE ENGINEER LICENSE TO APPROPRIATE WATER Charles H. Guntly and John Foster Guntly ISSUED TO DATED MAR 31 1952 48807 7-51 3M STATE PRINTING OFFICE 2