

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

DIVISION OF WATER RIGHTS

In the Matter of License 3565 (Application 12145)

Deer Creek Water Association

ORDER REVOKING LICENSE

SOURCE: Cunningham Creek

COUNTY: Fresno

WHEREAS:

1. A request has been received from the Licensee on January 21, 2004, stating that the Licensee has requested revocation of the license by the State Water Resources Control Board (SWRCB), 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 3565 is hereby revoked by the SWRCB, 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 SWRCB decisions regarding water availability.


Victoria A. Whitney, Chief *for*
Division of Water Rights

Dated: MAY 18 2004

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

ORDER

APPLICATION 12145

PERMIT 7224

LICENSE 3565

ORDER ALLOWING CHANGE IN NAME OF SOURCE

Licensee having established to the satisfaction of the State Engineer that the change in name of source under Application 12145, Permit 7224, License 3565 for which petition was submitted on February 9, 1954 will not operate to the injury of any other legal user of water, the State Engineer so finds, and

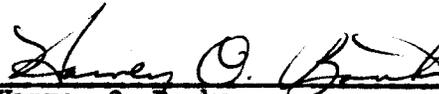
IT IS ORDERED that permission be and the same is hereby granted to change the name of source under said Application 12145, Permit 7224, License 3565 to read as follows, to wit:

CUNNINGHAM CREEK

WITNESS my hand and the seal of the Department of Public Works of the State of California this 25th day of March, 1954.

A. D. EDMONSTON, STATE ENGINEER

By


Harvey O. Banks
Assistant State Engineer



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

License for Diversion and Use of Water

APPLICATION 12145

PERMIT 7224

LICENSE 3565

THIS IS TO CERTIFY, That **Deer Creek Water Association**
c/o Charles H. Quibell, Secretary
1738 Adoline Avenue
Fresno, California

has made proof as of **September 16, 1950**
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed stream in Fresno County

tributary to **Deer Creek thence Huntington Lake**

for the purpose of **domestic use**

under Permit **7224** 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 **November 3, 1947**;
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 **two thousand two hundred**
(2200) gallons per day to be diverted from about **May 15** to about **October 15** of
each year.

The point of diversion of such water is located south approximately two hundred sixty
(260) feet and west approximately one thousand seven hundred sixty (1760) feet
from E $\frac{1}{2}$ corner of Section 6, T 8 S, R 26 E, MDB&M, being within NW $\frac{1}{4}$ 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: Lots 17 through
27 inclusive of upper Deer Creek Tract of Sierra National Forest, being within SW $\frac{1}{4}$
of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 6, T 8 S, R 26 E, MDB&M.

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, shall be bound 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 13th day of June, 1952



A. D. Edmonston
A. D. EDMONSTON, State Engineer