

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

ORDER

APPLICATION 12469

PERMIT 7267

LICENSE 3722

ORDER DIRECTING ISSUANCE OF SEPARATE LICENSES

WHEREAS:

1. The State Water Resources Control Board has been requested to issue separate licenses to cover licensees' respective interests in License 3722, and said Board has determined that good cause for such division of license has been shown.
2. License 3722 was issued to Antonia Furlan, Albina Furlan, Leo Giovanetti and Emma Giovanetti and was filed with the County Recorder of Sutter County on April 24, 1953.
3. License 3722 was subsequently assigned to Antonio Furlan and Albina V. Furlan, and Dolores Azevedo and Mary Baldwin.
4. The place of use covered by License 3722 has been divided into two separate parcels, each having a separate interest in the license as follows:
 - (A) Antonio Furlan and Albina V. Furlan: 4.38 cubic feet per second for irrigation of 181.3 acres.
 - (B) Dolores Azevedo and Mary Baldwin: 0.25 cubic foot per second for irrigation of 20.7 acres.
5. The Board has determined that this division of license will not operate to the injury of any other legal user of water.

NOW, THEREFORE, IT IS ORDERED:

1. That License 3722 be replaced by License 3722A issued to Antonia Furlan and Albina V. Furlan, and by License 3722B issued to Dolores Azevedo and Mary Baldwin.
 2. That superseded License 3722 is hereby revoked, effective upon the issuance of Licenses 3722A and 3722B.
 3. That separate Licenses be issued as follows:
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LICENSE 3722A

- (a) Owners: Antonio Furlan and Albina V. Furlan.
- (b) Source: Sacramento River in Sutter County.
- (c) Amount: 4.38 cubic feet per second.
- (d) Season: April 1 to October 1.
- (e) Point of diversion:

NORTH 89°20'30" WEST 1,020 FEET FROM N $\frac{1}{4}$ CORNER OF SECTION 30, T11N, R3E, MDB&M, BEING WITH NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 30.

- (f) Place of use:

31.2 ACRES WITHIN SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 19, T11N, R3E, MDB&M
22.3 ACRES WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 30, T11N, R3E, MDB&M
127.8 ACRES WITHIN NE $\frac{1}{4}$ OF SECTION 30, T11N, R3E, MDB&M
181.3 ACRES TOTAL

LICENSE 3722B

- (a) Owners: Dolores Azevedo and Mary Baldwin.
- (b) Source: Sacramento River in Sutter County.
- (c) Amount: 0.25 cubic foot per second.
- (d) Season: April 1 to October 1.
- (e) Point of diversion:

NORTH 52°53'51" WEST 1,494.98 FEET FROM CENTER OF SECTION 30, T11N, R3E, MDB&M, BEING WITHIN SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 30.

- (f) Place of use:

2.2 ACRES WITHIN SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 30, T11N, R3E, MDB&M
17.2 ACRES WITHIN SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 30, T11N, R3E, MDB&M
1.3 ACRES WITHIN NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 30, T11N, R3E, MDB&M
20.7 ACRES TOTAL

4. That Licenses 3722A and 3722B contain all other terms and conditions presently in License 3722.

Dated: AUGUST 2 1977.

R. L. Rosenberger
R. L. Rosenberger, Chief
Division of Water Rights

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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 12469

PERMIT 7267

LICENSE 3722

THIS IS TO CERTIFY, That

Antonio Furlan, Albina Furlan, Leo Giovanetti
and Emma Giovanetti
c/o Antonio Furlan
Box 213, Knights Landing, California

Notice of Assignment (Over)

have made proof as of April 17, 1952

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of Sacramento River in Sutter County

tributary to Suisun Bay

for the purpose of irrigation use
under Permit 7267

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 April 13, 1948; 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 four and sixty-three hundredths (4.63) cubic feet per second to be diverted from about April 1 to about October 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 points of diversion of such water are located as follows:

- (1) North eighty-nine degrees twenty minutes thirty seconds west (N 89° 20' 30" W) one thousand twenty (1020) feet from N $\frac{1}{4}$ corner of Section 30, T 11 N, R 3 E, MDB&M, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 30.
- (2) North fifty-two degrees fifty-three minutes fifty-one seconds west (N 52° 53' 51" W) one thousand four hundred ninety-four and ninety-eight hundredths (1494.98) feet from center of Section 30, T 11 N, R 3 E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 30.

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

31.2 acres within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19, T 11 N, R 3 E, MDB&M
22.3 acres within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30, T 11 N, R 3 E, MDB&M
19.4 acres within S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 30, T 11 N, R 3 E, MDB&M
1.3 acres within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, T 11 N, R 3 E, MDB&M
127.8 acres within NE $\frac{1}{4}$ of Section 30, T 11 N, R 3 E, MDB&M
202.0 acres total

Issuance of this license shall not operate to the prejudice of any prior rights, including rights acquired by the United States for the Central Valley Project involving flows, whether or not released from storage, which though not presently applied to beneficial use may hereafter be applied thereto pursuant to such prior rights.

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.

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 Departments.

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 22nd day of April, 1953



A. D. EDMONSTON, State Engineer

10/30/64 - Rec'd. notice of ASSIGNMENT to ~~Leo & Emma~~ Emma Giovanetti to Antonio + Albina Furlan

7/2/65 Assignment of 10/30/64 made in error - Ownership should read Antonio + Albina Furlan + Leo + Emma Giovanetti

3-7-72 Records chgd to show Antonio + Albina F. Furlan + Estates of Leo + Emma Giovanetti

5-26-71 Int of Estates of Leo + Emma Giovanetti asgd to Dolores Aguedo + Mary Baldwin

LICENSE 3722

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO Antonio Furlan et al.

DATED

48807 7-51 3M STATE PRINTING OFFICE

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