

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

DIVISION OF WATER RIGHTS

In the Matter of License 3760 (Application 12729)

Louis Konijn and Will Konijn

ORDER REVOKING LICENSE

SOURCE: Sandy Bar Creek

COUNTY: Siskiyou County

WHEREAS:

1. License 3760 was issued to Francis H. Pearson on June 22, 1953, pursuant to Application 12729, and was filed with the County Recorder of Siskiyou County on June 25, 1953.
2. License 3760 was subsequently assigned to Louis Konijn and Will Konijn on September 4, 1986.
3. Louis Konijn has requested on March 27, 2012 that the license be revoked by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
4. A letter dated December 27, 2012 was mailed to the address on record for Will Konijn in notification of the pending revocation. However, the letter was returned as undeliverable.
5. 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.

Therefore, it is ordered that License 3760 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
Division of Water Rights*

Dated: JANUARY 30 2013



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

License for Diversion and Use of Water

Notice of Assignment (Over)

APPLICATION 12729

PERMIT 7507

LICENSE 3760

THIS IS TO CERTIFY, That **Francis H. Pearson**
Somesbar, California

has made proof as of **September 12, 1952**
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Sandy Bar Creek in Siskiyou County

tributary to **Klamath River**

for the purpose of **power and domestic uses**

under Permit **7507** 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 **October 5, 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 **thirty-two hundredths (0.32) cubic foot per second** to be diverted from **January 1 to December 31** of each year.

The point of diversion of such water is located southerly two thousand (2000) feet along west line and east one thousand two hundred (1200) feet from NW corner of Section 28, T 13 N, R 6 E, HB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 28.

A description of the lands or the place where such water is put to beneficial use is as follows: within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, T 13 N, R 6 E, HB&M.

The water is returned to Sandy Bar Creek at a point within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, T 13 N, R 6 E, HB&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 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 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 22nd day of June, 19 53

A. D. EDMONSTON, State Engineer

7/5/57 RECEIVED NOTICE OF ASSIGNMENT TO Robert J. Mullerbach

9/18/57 RECEIVED NOTICE OF ASSIGNMENT TO Wm Romaine, Jr.

12-25-73 name chgd to Estate of William Romaine, Jr

3-20-74 Records chgd to Show Zelma Robinson as owner

11-9-76 Asgd to Julie A. Stuart, Wellena Robinson, Helene Robinson and Laurie Konijn - c/o Julie Stuart, 340 San Juan Court San Mateo, Ca 94402

2-22-80 Name of Julie A. Stuart chgd to Julie A. Kiil

9-4-86 Asgd to Will + Louis Konijn

LICENSE 3760

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO Francis H. Pearson

DATED

48907 7-51 58 STATE PRINTING OFFICE

2