

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

**DIVISION OF WATER RIGHTS**

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In the Matter of License 3886 (Application 13669)

**Michael W. Malan and Denise Malan**

**ORDER REVOKING LICENSE**

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SOURCE: North Fork Trail Canyon Creek  
COUNTY: Los Angeles

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**WHEREAS:**

1. License 3886 was issued to Clifford D. McQuay and Rudene V. McQuay on February 25, 1954, pursuant to Application 13669, and was filed with the County Recorder of Los Angeles County on February 25, 1954.
2. License 3886 was subsequently assigned to Michael W. Malan and Denise Malan on September 15, 2003.
3. On February 18, 2015, Michael W. Malan and Denise Malan requested 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 California Water Code sections 1675 through 1675.1.
5. The State Water Board has delegated the authority to revoke water rights to the Deputy Director for the Division, pursuant to Resolution No. 2012-0029. The Deputy Director has redelegated this authority to the Assistant Deputy Directors, Program Managers, and Unit Seniors, pursuant to redelegation Order dated July 6, 2012.

**Therefore, it is ordered** that License 3886 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  
Brian Coats for

*Barbara Evoy, Deputy Director*  
*Division of Water Rights*

Date: APRIL 1, 2015



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

## License for Diversion and Use of Water

APPLICATION 13669

PERMIT 8172

LICENSE 3886

THIS IS TO CERTIFY, That Clifford D. McQuay and Rudene V. McQuay  
Route 1C, Box 155A  
Tujunga, California Notice of Assignment (Over)

*have* made proof as of July 7, 1952  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
North Fork Trail Canyon Creek in Los Angeles County

tributary to Trail Canyon Creek thence Tujunga River

for the purpose of domestic use  
under Permit 8172 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 3, 1950;  
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 hundred (200)  
gallons per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located north seven hundred fifty (750) feet  
and east seven hundred twenty (720) feet from SW corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of  
Section 33, T 3 N, R 13 W, SBB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 33.

A description of the lands or the place where such water is put to beneficial use is as follows:  
Lot 75, Big Tujunga Tract of Angeles National Forest, being within SW $\frac{1}{4}$  of  
NW $\frac{1}{4}$  of Section 33, T 3 N, R 13 W, SBB&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 25th day of February, 19 54

A. D. EDMONSTON, State Engineer

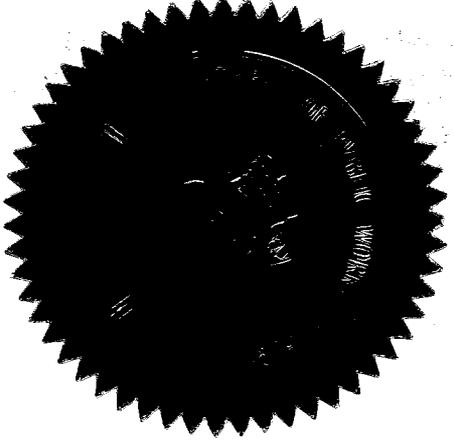
By Harvey O. Banks  
HARVEY O. BANKS  
Assistant State Engineer

10/28/58 RECEIVED NOTICE OF ASSIGNMENT TO Francis Mc Grew

4-3-85 RECEIVED NOTICE OF ASSIGNMENT TO Charles H. Gault

4-3-85 Asgd to Helen Anthony

1/4/96 Not of asgd: App#13669 Lic#3886  
Mike & Lorreta Malan



LICENSE 3886  
STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE TO APPROPRIATE WATER  
ISSUED TO Clifford D. McQuay and Rudene V. McQuay  
DATED

8287, 8-53 SM SFO