

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

DIVISION OF WATER RIGHTS

In the Matter of License 4026 (Application 10173)

Marcantonio Anna V Trustee
ORDER REVOKING LICENSE

SOURCE: Slate Castle Ravine

COUNTY: Sierra

WHEREAS:

1. License 4026 was issued to Samuel Ballard White, Jr. on November 26, 1954, pursuant to Application 10173, and was filed with the County Recorder of Sierra County on November 29, 1954.
2. License 4026 was subsequently assigned to Joseph E. and Anna V. Marcantonio on September 17, 1973.
3. Parcelquest records indicate that as of July 20, 2009, the property owner is listed as Marcantonio Anna V Trustee.
4. Anna V. Marcantonio requested on April 22, 2015, that the license be revoked by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
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.
6. 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 re delegated 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 4026 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

Dated:NOV 2 2015



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

License for Diversion and Use of Water

APPLICATION 10173

PERMIT 5777

LICENSE 4026

THIS IS TO CERTIFY, That Samuel Ballard White, Jr.
P.O. Box 73
Downieville, California

Notice of Assignment (Over)

has made proof as of July 22, 1953,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Slate Castle Ravine in Sierra County

tributary to North Fork of Yuba River

for the purpose of irrigation use
under Permit 5777 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 March 29, 1941;
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 tenth (0.1)
cubic foot 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 point of diversion of such water is located south fifteen degrees thirty-seven minutes
east (S15°37'E) one thousand thirty (1030) feet from $\frac{1}{4}$ corner of Section 36, T 20 N,
R 10 E, MDB&M, being within $\frac{1}{4}$ of $\frac{1}{4}$ of said Section 36.

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

3.5 acres within $\frac{1}{4}$ of $\frac{1}{4}$ of Section 36, T 20 N, R 10 E, MDB&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 26th day of November, 19 54



A. D. EDMONSTON, State Engineer

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

11-13-61 RECEIVED NOTICE OF ASSIGNMENT TO T. E. Gentry
and Nina Gentry

10/25/61 RECEIVED NOTICE OF ASSIGNMENT TO Howard W. Proefrock and
Florence M. Proefrock

9-27-73 RECEIVED NOTICE OF ASSIGNMENT TO Joseph E. & Anna V.
Marcontonio

LICENSE 4026

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

LICENSE
TO APPROPRIATE WATER

ISSUED TO Samuel Ballard White, Jr.

DATED

93387 8-53 3M SPO

2