

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 4165 (Application 13880)  
**Myrtle and Darwin Kingsley and Sharron Boddy**

**ORDER REVOKING LICENSE**

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SOURCE: Unnamed Stream tributary to Yellow Creek

COUNTY: Plumas

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**WHEREAS:**

1. A letter has been received from the Licensee dated December 27, 2003, requesting 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 4165 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*  
*Division of Water Rights*

Dated: **MAY 20 2004**

**MAILING LIST**

**REGULAR MAIL**

Myrtle and Darwin Kingsley and Sharron Boddy  
P. O. Box 70785  
Shasta Lake City, CA 96079

County Recorder  
County of Plumas  
P.O. Box 706  
Quincy, CA 95971

Bcc: Field File, WT, TNS

TNSnyder:tns/itziar:2-27-04  
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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 13880

PERMIT 8449

LICENSE 4165

THIS IS TO CERTIFY, That

Steve Niederfler  
P. O. Box 12  
Belden, California

Notice of Assignment (Over)

has made proof as of August 16, 1954  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
Unnamed stream in Plumas County

tributary to Yellow Creek thence North Fork Feather River

for the purpose of mining and incidental domestic uses  
under Permit 8449 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 August 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 sixty-seven thousandths  
(0.067) cubic foot per second or approximately thirty (30) gallons per minute to  
be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located south one thousand eighty-five (1085)  
feet and east sixty-five (65) feet from  $W\frac{1}{4}$  corner of Section 18, T 25 N,  
R 7 E, MDB&M, being within  $NW\frac{1}{4}$  of  $SW\frac{1}{4}$  of said Section 18.

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 18.

Water used for mining is released into Yellow Creek within  $NW\frac{1}{4}$  of  $SW\frac{1}{4}$  of  
Section 18, T 25 N, R 7 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).

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 30th day of December, 1955

[SEAL]

HARVEY O. BANKS  
ACTING STATE ENGINEER  
~~As to Emmons, State Engineer~~

By L. C. Jopson  
~~Harvey O. Banks~~  
L. C. Jopson  
Principal Hydraulic Engineer

11/21/63 RECEIVED NOTICE OF ASSIGNMENT TO Leslie Kingaley  
9-4-87 Assign to: Myrtle Kingaley, Darwin Kingaley & Sharon Roddy.