

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

DIVISION OF WATER RIGHTS

In the Matter of License 5622 (Application 12335)

Michael P. and Joanne M. Mahon

ORDER REVOKING LICENSE

SOURCE: UNNAMED SPRING TRIBUTARY TO LIVE OAK CREEK AND LIVE OAK
CREEK TRIBUTARY TO BUNCH CANYON THENCE NORTH FORK
AMERICAN RIVER

COUNTY: PLACER

WHEREAS:

1. A letter dated January 8, 2004, has been received from the Licensee, 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 5622 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 10 2004

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

DIVISION OF WATER RIGHTS

In the Matter of License 4343 (Application 13021)
and License 4342 (Application 13020)

Develco Development Company

ORDER REVOKING LICENSE

SOURCE: Unnamed Stream

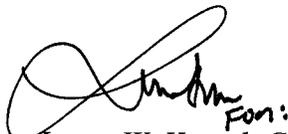
COUNTY: Santa Clara

WHEREAS:

1. A request dated February 2, 2004, has been received from the Licensee that the license be revoked 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 and 1675.1.
3. The SWRCB has found that Licensee failed to apply the water to beneficial use under the terms and conditions of this license.

THEREFORE:

It is ordered that License 4342 and License 4343 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.



*James W. Kassel, Chief
Hearings and Special Projects Section*

Dated: **JUL 11 2005**



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

License for Diversion and Use of Water

APPLICATION 13021

PERMIT 7761

LICENSE 4343

THIS IS TO CERTIFY, That Edwin L. Poor and Lilian B. Poor
Rt. 1, Box 540
Saratoga, California

Notice of Assignment (Over)

have made proof as of April 29, 1954,
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed stream in Santa Clara County

tributary to Stevens Creek thence San Francisco Bay

for the purpose of irrigation and domestic uses

under Permit 7761 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 5, 1949; 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 (2) acre-feet per annum to be collected from about November 1 of each year to about May 1 of the succeeding year.

The point of diversion of such water is located due east one hundred (100) feet from center of Section 34, T7S, R2W, MDB&M, being within NW1/4 of SE1/4 of said Section 34.

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

Domestic use and the irrigation of 1 acre within NE1/4 of SE1/4 of Section 34, T7S, R2W, MDB&M.

The right under this license is of equal priority with the right initiated by the Application 13020, Permit 7760.

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 24 day of April, 19 56

HARVEY O. BANKS,
~~AND~~ State Engineer

By L. C. Jopson
~~Harvey O. Banks~~ L. C. Jopson
Assistant State Engineer

10/13/40 REVISED NOTICE OF ASSIGNMENT TO Burt H. and Helene A.
1-12-79 assigned to Jerry + Sharon Bibbens
4-13-89 asged to Silver Dove Associates
5-22-89 asged to Shuo - Jian Wu + Wu yee Sheng

Lilian B. Poor