

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

**ORDER WR 2007-XXXX-DWR**

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In the Matter of License 5231 (Application 16075)  
**Kenneth S. Dodge**

**ORDER REVOKING LICENSE**

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SOURCE: Morrison Slough tributary to Snake River

COUNTY: Sutter

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**WHEREAS:**

1. The Licensee submitted a letter to the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) which was received on January 25, 2007, requesting that the License be revoked.
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 5231 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



Victoria A. Whitney, Chief  
Division of Water Rights

Dated: **JUL 24 2007**



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD  
License for Diversion and Use of Water

APPLICATION 16075

PERMIT 10087  
Frank Harriman Dodge  
Route 2, Box 514  
Live Oak, California

LICENSE 5231

THIS IS TO CERTIFY, *That*

*has* made proof as of May 3, 1956  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of Morrison Slough in Sutter County

tributary to Snake River; thence East Intercepting Canal; thence Wadsworth Canal; thence Sutter By-Pass and Sacramento River

for the purpose of irrigation use  
under Permit 10087 of the State Water Rights Board 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 State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from October 1, 1954 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 fifty-five hundredths (0.55) 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 one thousand eight hundred fifty-three (1853) feet and east one thousand three hundred fifty-five (1355) feet from NW corner of Section 13, T16N, R2E, MDB&M, being within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 13.

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

15 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 13, T16N, R2E, MDB&M  
7 acres within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 13, T16N, R2E, MDB&M  
22 acres total

*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 board.

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 is desiring to purchase and the owner of the works and property cannot 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.

Dated: JUN 16 1958

*L. K. Hill*  
L. K. Hill  
Executive Officer

LICENSE 5231 assigned to  
Sarah Rose Dodge 12/27/95

