

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 11281 PERMIT 7288 LICENSE 5261

ORDER ALLOWING THE ADDITION OF SIX POINTS OF REDIVERSION,
REDUCE THE PLACE OF USE AND AMEND THE LICENSE

WHEREAS:

1. License 5261 was issued to Hammond Brothers and was filed with the County Recorder of Siskiyou County on July 3, 1958.
2. License 5261 was subsequently assigned to Hammond Reservoir Irrigation Association.
3. A petition to add six points of rediversion, reduce the place of use and change the purpose of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The license condition pertaining to the State Board's continuing authority should be replaced with the current version to conform with Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point(s) of diversion and rediversion under this license shall be as follows:

Point of Diversion:

South 330 feet and West 1,500 feet from NW corner of Section 21, T40N, R5W, MDB&M, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 21.

Points of Rediversion:

- POR #1: South 3,700 feet and West 500 feet from NE corner of Section 21, T41N, R5W, MDB&M, being within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 21,
- POR #2: South 3,100 feet and West 400 feet from NE corner of Section 21, T41N, R5W, MDB&M, being within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 21,
- POR #3: South 900 feet and West 1,000 feet from NE corner of Section 21, T41N, R5W, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 21,
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- POR #4: South 600 feet and West 1,000 feet from NE corner of Section 21, T41N, R5W, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 21,
- POR #5: North 1,800 feet and West 2,200 feet from SE corner of Section 16, T41N, R5W, MDB&M, being within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Said Section 16, and
- POR #6: North 400 feet and West 2,100 feet from SW corner of Section 9, T41N, R5W, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 9.

2. The place of use under this license shall be as follows:

406 acres within a gross area of 1,336 acres located within Sections 9, 15, 16, 21, 22, and 27, T41N, R5W, MDB&M, as shown on maps on file with the State Water Resources Control Board.

3. The purposes of use under this license shall be as follows:

Irrigation, stockwatering, fire protection and fish and wildlife enhancement.

4. The license condition pertaining to the Board's continuing authority is replaced with the following to conform with Section 780(a), Title 23 of the California Code of Regulations.

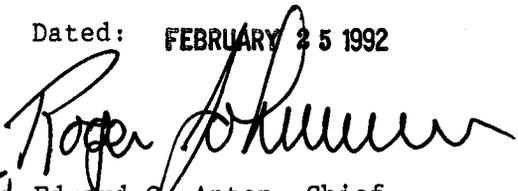
Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: FEBRUARY 25 1992



Edward Q. Anton, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 11281

PERMIT 7288

LICENSE 5261

THIS IS TO CERTIFY, That

Hammond Brothers
P.O. Box 585
Edgewood, California

Notice of Change (Over)

have made proof as of September 19, 1956
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
North Fork Sacramento River in Siskiyou County

tributary to Sacramento River

for the purpose of irrigation use
under Permit 7288 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 February 11, 1946
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 fifteen (15) cubic feet
per second to be diverted from about April 1 to about October 10 of each year.

The point of diversion of such water is located:
South fifty (50) feet from SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T40N, R5W, MDB&M, being
within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21, T40N, R5W, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:
A total of 1086 acres within Sections 15, 21, 22, 23, 27, 28, 33 and 34, T41N, R5W,
MDB&M as shown on map filed with State Water Rights Board.

Permittees shall at all times by-pass a minimum of one cubic foot per second or
the natural flow of the stream whenever it is less than one cubic foot per second at
the point of diversion to maintain fish life.

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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 State Water Rights Board 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 Water Rights Board.

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 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.

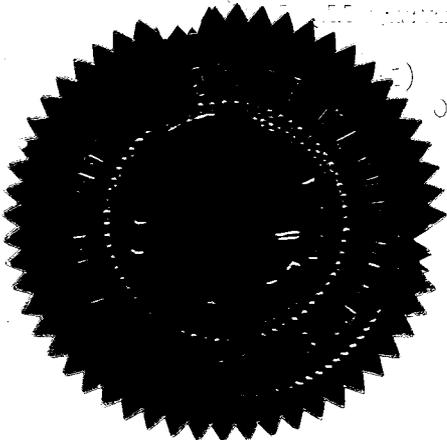
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water 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 so 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: JUL 2 1958

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



1-9-75 assigned to Carrington
Enterprises, Inc.
6-17-83 assigned to Hammond Lake Water Users
Association, Inc.
6/7/91 assigned to Hammond Reservoir Irrigation
Association

LICENSE 5261

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Hammond Brothers

DATED JUL 2 1958

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