STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION 15727 PERMIT 10141 LICENSE 5931

ORDER ALLOWING CHANGE IN POINT OF
DIVERSION AND PLACE OF USE
DELETE STORAGE AND AMEND THE LICENSE

WHEREAS:

1. License 5931 was issued to Molalla Forest Products Company and was recorded with the County recorder of Sonoma County on Janaury 11, 1960 in Book 1725, Page 391.

2. License 5931 was subsequently assigned to Louisiana-Pacific Corporation.

3. A petition for change in point of diversion, and place of use and delete storage in the log pond 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 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 of diversion under this license shall be as follows:

   Russian River underflow: North 1,800 feet and East 300 feet from the S¼ corner of projected Section 20, T11N, R10W, MDB&M, being within NW¼ of SE¼ of said Section 20. (California Coordinate Systems, Zone 2, N 48,000 and E 1,716,200)

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

   within the SE¼ of NW¼, NE¼ of SW¼ and W½ of SE¼ of projected Section 20, T11N, R10W, MDB&M.

3. The storage of 69 acre-feet of water in the log pond and 700 gallons per minute offstream diversion rate is deleted from this license.

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.

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Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, 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 permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee 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 permit 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 permittee 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: JUNE 19 1991

for Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15727 PERMIT 10141 LICENSE 5931

Molalla Forest Products Company
P. O. Box 357
Cloverdale, California

Notice of Assignment (Over)

THIS IS TO CERTIFY, *That*

has made proof as of April 15, 1959
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of Russian River (underflow) in Sonoma County

tributary to Pacific Ocean

for the purpose of industrial use
under Permit 10141 *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 16, 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* two tenths (0.2) cubic foot per second by direct diversion to be diverted from January 1 to December 31 of each year and sixty-nine (69) acre-feet per annum by storage to be collected from about April 1 to about August 1 of each year.

Water is returned to the Russian River within SE¼ of NE¼ of projected Section 20, T11N, R10W, MDB&M.

Maximum rate of diversion to offstream storage has been 700 gallons per minute.

The point of diversion of such water is located:
South three hundred (300) feet and west one hundred (100) feet from N¼ corner of projected Section 20, T11N, R10W, MDB&M, being within NE¼ of NW¼ of said projected Section 20.

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

Within NE¼ of NW¼ and SE¼ of NW¼ of projected Section 20, T11N, R10W, 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 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: JAN 8 1960

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

3-11-63 RECEIVED NOTICE OF ASSIGNMENT TO ~~Name Chgd~~
to Clowerdale Redwood, Inc

1-30-70 Name Changed to
Clowerdale Redwood, A Partnership;
9-12-71 RECEIVED NOTICE OF ASSIGNMENT TO ~~Masonite Corporation~~
3-21-83 asgd to Timber Realization Company
3-7-84 Asgd to Louisiana Pacific Corp.

LICENSE 5931
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Molalla Forest Products Company

DATED JAN 8 1960

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