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

DIVISION OF WATER RIGHTS

IN THE MATTER OF LICENSES 6389A, 6389C, 11001, 7064A, 7064B, 7064C, AND 6399 (APPLICATIONS 7641A, 7641C, 15606, 15856A, 15856B, 15856C, AND 15858) PETITIONS FOR TEMPORARY CHANGE INVOLVING THE TRANSFER OF UP TO 8,100 ACRE-FEET OF WATER FROM PLEASANT GROVE-VERONA MUTUAL WATER COMPANY TO THE SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

SOURCE: Sacramento River

COUNTY: Sutter

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 SUBSTANCE OF PETITION

On May 6, 2013, Pleasant Grove-Verona Mutual Water Company (PGV or Petitioner) filed with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) seven Petitions for Temporary Change under Water Code Section 1725, et seq. The petitions request to transfer a combined total of up to 8,100 acre-feet (af) of water for use by San Luis & Delta-Mendota Water Authority (Authority). The Authority is located within the Central Valley Project (CVP) service area. Temporary changes approved pursuant to Water Code section 1725 may be effective for up to one year from the date of approval.

1.1 Description of the Transfer

PGV consists of seven shareholders: E.D. Willey and Son Inc., River Ranch Partnership, Scheidel & Osterli, Nicoli G. Nicholas, Maria John Nicholas Kelly Ranch, LLC, Thomas S. Atkinson, II, and Murphy Lake Farms. Table 1 is a list of the PGV member's licensed water rights and amounts requested under each of the seven transfer petitions.

PGV proposes to transfer up to a total of 8,100 af of water under Licenses 6389A, 6389C, 11001, 7064A, 7064B, 7064C, and 6399 to the Authority. The maximum quantity of water each Licensee intends to transfer is listed in Table 1. The petitions indicate that the total amount identified in Table 1 is greater than 8,100 af, to allow for flexibility among the Licensees in providing the 8,100 af transfer total. To facilitate the transfers, the Licensees will irrigate their crops by pumping additional groundwater and reduce their direct diversion from the Sacramento River and the Natomas Cross Canal. Water would be available for diversion at the CVP's CW "Bill" Jones Pumping Plant and/or the State Water Project's (SWP) Harvey O. Banks Pumping Plant (Delta Pumps). Water would be used within the CVP service area.

Table 1

Petitioner	Application	License	Transfer Amount (af)	Transfer Rate (cubic feet per second)	Place of use (acres)
E.D. Willey and Son, Inc.	7641A	6389A	2,000	26.4	1,483
River Ranch Partnership	7641C	6389C	500	7.7	519
Scheidel and Osterli	15606	11001	1,000	14.54	580
Nicoli G. Nicholas	15856A	7064A	1,572	11.77	776
Maria John Nicholas Kelly Ranch, LLC	15856B	7064B	1,420	11.77	826
Thomas S. Atkinson, II	15856C	7064C	1,624*	11.77	747
Murphy Lake Farms	15858	6399	412*	2.26	216.7

*The transfer quantity under License 6399 is 412 af. Under License 7064C the transfer quantity is 1,624 af. The combined transfer limit under Licenses 6399 and 7064C is 1,624 af.

1.2 Groundwater Substitution

PGV proposes to transfer water to the Authority through groundwater substitution. The petitions state that the transfers will be consistent with the Draft Technical Information for Preparing Water Transfer Proposals, dated February 2013 published by the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation (Reclamation). Only wells approved by DWR and Reclamation will be used for the proposed transfers. The DWR and Reclamation well criteria used to evaluate groundwater substitution transfers is intended to minimize impacts to streamflow during balanced conditions and potential impacts to the SWP and CVP. DWR and Reclamation have estimated streamflow impacts resulting from PGV's pumping to replace transferred water to be 12%. To account for those impacts, PGV will only transfer 88% of the total quantity pumped in exchange for the surface water released. The conditions identified in item 3.3 require compliance with DWR's and Reclamation's well construction, location and monitoring requirements as well as the application of the streamflow depletion factor, which are intended to ensure that the groundwater substitution transfer will not unreasonably affect the surface streamflow.

The boundaries of PGV are within Sutter County, which completed and adopted a groundwater management plan (GMP) in March 2012 pursuant to Water Code Section 10753. The March 2012 GMP relies on data from an extensive network of DWR and water purveyor's production and monitoring wells. The GMP identifies that DWR does not currently consider any of the groundwater sub-basins underlying Sutter County to be in an overdraft state.

2.0 BACKGROUND

2.1 Substance of PGV's Licenses

License 6389A authorizes direct diversion of 26.4 cubic feet per second (cfs) of water from the Sacramento River between April 1 and September 30 of each year for irrigation purpose. License 6389C authorizes direct diversion of 7.7 cfs of water from the Sacramento River between April 1 and September 30 of each year for irrigation purpose. License 11001 authorizes direct diversion of 14.54 cfs of water from the Natomas Cross Canal tributary to the Sacramento River between April 1 and September 30 of each year for irrigation purpose. Licenses 7064A, 7064B, and 7064C each authorizes direct diversion of 11.77 cfs of water each year from the Natomas Cross Canal tributary to the Sacramento River from March 15 to November 15 for irrigation purpose and from January 1 to December 31 for stockwatering purpose. License 6399 authorizes the direct diversion of 2.26 cfs of

water each year from the Natomas Cross Canal tributary to the Sacramento River from March 15 to October 1 for irrigation purpose and from January 1 to December 31 for stockwatering purpose.

The authorized points of diversion/rediversion for Licenses 6389A, 6389C, 11001, 7064A, 7064B, 7064C, and 6399 are located northeast of the confluence of the Feather River and Sacramento River. The authorized places of use are listed in Table 1.

2.2 Proposed Temporary Changes

The proposed transfers would temporarily add the Delta Pumps as points of diversion under the seven licenses. The service areas of the CVP (as shown on map 214-208-12581 on file with Application 5626) would be temporarily added to the place of use of the licenses.

2.3 Governor's 2013 Executive Order to Streamline Approvals for Water Transfers

On May 20, 2013, Governor Edmund G. Brown Jr. issued Executive Order B-21-13 to streamline approvals for water transfers to address the dry conditions and water delivery limitations in 2013 to protect California's agriculture. The Governor's Order directs the State Water Board and DWR to expedite the review and processing of temporary transfers for 2013 (in accordance with the Water Code) and to assist water transfer proponents and suppliers, as necessary, provided that the transfers will not harm other legal users of water and will not unreasonably affect fish, wildlife, or other instream beneficial uses. The State Water Board and DWR were also directed to make all efforts to coordinate with relevant federal agencies, water districts, and water agencies to expedite the review and approval of water transfers in California.

3.0 PUBLIC NOTICE AND COMMENTS

On May 9, 2013, public notice of the petition for temporary change was provided as follows: 1) via first class mail to interested parties; 2) by posting on the Division's website; 3) via the State Water Board's Lyris email notification program; and 4) by publication in the Appeal-Democrat on May 15, 2013.

The State Water Board received timely comments regarding the proposed temporary change from the following: 1) a joint comment by California Water Impact Network (C-WIN), California Sportfishing Protection Alliance (CSPA) and AquAlliance; 2) Richard Morat; 3) Reclamation; and 4) DWR. The State Water Board received late comments from Department of Fish and Wildlife (DFW). These comments and the State Water Board's responses are summarized below.

3.1 Joint Comments of California Water Impact Network, California Sportfishing Protection Alliance and AquAlliance (Environmental Commenters)

By letter dated June 3, 2013, the environmental commenters indicated their concerns regarding the proposed transfers. The concerns extend beyond the scope of the current transfers, and encompass all pending 2013 water transfers being processed by the State Water Board. To expedite transfer processing, the concerns are not repeated herein; however, the State Water Board response letter, dated June 27, 2013, is incorporated by reference. The response letter details the issues raised by the environmental commenters. On June 14, 2013, PGV also provided a response letter to the environmental commenters as discussed below.

<u>State Water Board Response:</u>

The State Water Board response letter identifies a need to evaluate the following issues in the present order: (a) whether there is a change in return flow associated solely with the transfer, and (b) whether the transfer would only involve the amount of water that would have been consumptively used or stored by the water right holders in the absence of the proposed temporary change or conserved pursuant to Water Code section 1011.

In addition, the response letter indicates that use of the Delta Pumps for transfer purposes should be conditioned on compliance by DWR and Reclamation with Decision 1641, all applicable biological opinions and court orders, and any other conditions imposed by other regulatory agencies applicable to these operations.

The objection is addressed upon a finding that: (a) no change in return flows is occurring, and (b) the transfer only involves water that would have been consumptively used or stored. Approval of the petitions is also contingent on inclusion of condition 7 of this order. The required evaluations are found in Section 5 of this order.

PGV Response:

On June 14, 2013, PGV submitted a joint response by all petitioners to address the issues raised by the environmental commenters. By letter dated June 14, 2013, PGV also independently provided to the State Water Board details of its compliance with the applicable GMP.

3.2 Comments of Richard Morat

On May 21, 2013, Richard Morat commented on the proposed transfers. The Morat comments were similar to, but not as extensive as, the environmental commenters concerns.

State Water Board Response:

The State Water Board response letter, dated June 27, 2013, refers Mr. Morat to the more extensive responses provided to the environmental commenters. The information identified in item 3.1 also addresses the Morat objection.

3.3 Comments of Reclamation

By letter dated June 5, 2013, Reclamation commented on the proposed transfers. To protect Reclamation's water rights and operations at the Jones Pumping Plant, Reclamation requested that the transfers be conditioned as follows:

- Only wells approved by Reclamation and DWR for suitability and acceptability may be used for groundwater substitution.
- The amount of transferable water credited to PGV's groundwater substitution water transfer operation is subject to the determination of Reclamation and DWR.
- Before commencing the groundwater substitution operation, Petitioner shall submit a Monitoring Program Plan and Mitigation Program Plan to DWR and Reclamation for evaluation and prior approval.
- Transferable water may be credited only during balanced conditions in the Sacramento-San Joaquin River Delta.

State Water Board Response:

In order to avoid injury to Reclamation's water rights, the transfers are conditioned based on the criteria listed above.

3.4 Comments of DWR

By letter dated June 6, 2013, DWR objected to the proposed transfers based on potential injury to its permitted water rights. DWR's comments were similar to Reclamation's concerns. DWR requested that conditions similar to the Reclamation conditions listed above be included in any approval of the transfers.

State Water Board Response:

In order to avoid injury to DWR's water rights, the transfers are conditioned based on the criteria listed in item 3.3.

3.5 Comments of DFW

By letter dated June 27, 2013 DFW provided comments. DFW's comments were received after the 30-day deadline.

State Water Board Response:

The State Water Board is not required to evaluate or take into consideration comments that were not timely filed. Moreover, DFW has not presented any information to demonstrate that this particular transfer will have an unreasonable impact on fish and wildlife. Instead, the DFW comments express concern that there will be a cumulative impact of this and other transfers. That issue is addressed in the Division's June 27, 2013 response to the environmental commenters.

4.0 COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Petitioner filed the petitions for temporary transfer of water pursuant to Water Code section 1725, et seq. Water Code section 1729 exempts temporary changes involving a transfer of water from the requirements of CEQA. (Pub. Resources Code, § 21000, et seq.) The State Water Board will issue a Notice of Exemption for the seven transfers.

In addition to any obligation the State Water Board may have under CEQA, the Board has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419.) The State Water Board may approve a temporary change due to a transfer of water only if it determines that the proposed temporary change would not unreasonably affect fish, wildlife, or other instream beneficial uses. (Wat. Code, § 1727, subd. (b)(2).) The independent evaluation of impacts to public trust resources was conducted concurrent with the Water Code Section 1727 evaluation.

5.0 REQUIRED FINDINGS OF FACT

5.1 Transfers Only Involve Water That Would Have Been Consumptively Used or Stored

Before approving a temporary change due to a transfer or exchange of water pursuant to Chapter 10.5 of Part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would only involve the amount of water that would have been consumptively used or stored by the right holders in the absence of the proposed temporary change or conserved pursuant to Section 1011. (Wat. Code, §§ 1725, § 1726.) Water Code section 1725 defines "consumptively used" to mean "the amount of water which has been consumed through use by evapotranspiration, has percolated underground, or has been otherwise removed from use in the downstream water supply as a result of direct diversion." The water proposed for transfer consists of surface water made available through increased groundwater pumping. To the extent that the additional groundwater pumped does not affect streamflow, this water represents water which would not be available for use in the downstream water supply. DWR and Reclamation have reviewed the proposed groundwater pumping and determined that 12% of the additional groundwater pumping will affect streamflow. This Order limits the amount of water available for transfer to 88% of the groundwater pumped.

In light of the above, I find in accordance with Water Code section 1726, subdivision (e) that the water proposed for transfer pursuant to this Order would be consumptively used in the absence of the proposed temporary change.

5.2 No Injury to Other Legal Users of Water

Before approving a temporary change due to a transfer or exchange of water pursuant to article 1 of Chapter 10.5 of Part 2 of Division 2 of the Water Code, the State Water Board must find that the transfer would not injure any legal user of the water during any potential hydrologic condition that the Board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of the water, or reduction in return flows. (Wat. Code, § 1727, subd. (b)(1).)

PGV may not transfer water through the Delta Pumps prior to obtaining approval from DWR and Reclamation for its groundwater substitution operation. Compliance with DWR's and Reclamation's well construction, location and monitoring requirements as well as the application of the streamflow depletion factor are intended to ensure that the groundwater substitution transfers will not unreasonably affect the surface stream. DWR and Reclamation have reviewed the proposed transfers and determined that, with inclusion of the 12% depletion factor described in Section 1.2 of this Order, the SWP and CVP will not be injured by impacts resulting from the additional groundwater pumping associated with the transfers. Under this operating scenario, the transfers will not result in increased diversion of stream flow or changes to return flow. Since there will be no increase in diversion of stream flow, there will be no injury to other legal users of water.

In light of the above, I find in accordance with Water Code section 1727, subdivision (b)(1) that the proposed transfers will not injure any legal user of the water. I also find that the transfer of surface water that is replaced with groundwater pursuant to this Order meets the requirement of Water Code section 1745.10 subdivision (a). That section requires that the groundwater substitution transfer be consistent with a groundwater management plan adopted pursuant to state law for the affected area.

5.3 No Unreasonable Effect on Fish, Wildlife, or Other Instream Beneficial Uses

Before approving a temporary change due to a transfer of water, the State Water Board must find that the proposed change would not unreasonably affect fish, wildlife, or other instream beneficial uses. (Wat. Code, § 1727, subd. (b)(2).) The petitions state that the flow downstream of the Petitioner's current points of diversion may increase by up to 8,100 af during the period of transfer due to the temporary change. The increased flows may provide benefits to fisheries, wildlife or other instream beneficial uses.

Diversion of water at the Delta Pumps pursuant to this Order is subject to compliance by the SWP and CVP project operators with the objectives set forth in Tables 1, 2 and 3 on page 181 to 187 of Decision 1641 (D-1641), including compliance with the various plans required under D-1641. Diversion at these facilities pursuant to this Order is also subject to compliance by the operators with all applicable biological opinions and any court orders applicable to these operations.

In light of the above, I find in accordance with Water Code section 1727, subdivision (b)(2) that the proposed transfer will not unreasonably affect fish, wildlife, or other instream beneficial uses.

6.0 STATE WATER BOARD'S DELEGATION OF AUTHORITY

On June 5, 2012, the State Water Board adopted Resolution 2012-0029, delegating to the Deputy Director for Water Rights the authority to act on petitions for temporary change if the State Water Board does not hold a hearing. This order is adopted pursuant to the delegation of authority in section 4.4.2 of Resolution 2012-0029.

7.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1727, and therefore I find as follows:

I conclude that, based on the available evidence:

1. The proposed temporary changes will not injure any legal user of the water.

2. The proposed temporary changes will not unreasonably affect fish, wildlife, or other instream beneficial uses.

3. The proposed transfers involve only an amount of water that would have been consumptively used or stored in the absence of the temporary change.

4. An increase in groundwater pumping associated with these transfers (i.e., groundwater substitution) will be performed in compliance with Water Code section 1745.10.

ORDER

NOW, THEREFORE, IT IS ORDERED that the petitions filed for temporary change for the transfer of up to 8,100 af of water are approved.

All existing terms and conditions of Licenses 6389A, 6389C, 11001, 7064A, 7064B, 7064C, and 6399 remain in effect, except as temporarily amended by the following provisions:

1. The transfers are limited to the period commencing on the date of this Order and continuing for one year.

2. The maximum transfer quantity authorized under each water right is listed in Table 1.

3. The combined transfer limit under Licenses 7064C and 6399 is 1,624 af.

4. The Petitioner shall reduce its diversion rate at the original points of diversion authorized under the licenses by an amount equal to the rate of additional groundwater pumped in order to make water available for transfer pursuant to this Order (both measured as a daily average). The amount of water transferred pursuant to this Order shall not exceed 88% of the rate of additional groundwater pumping.

5. The places of use under the licenses are temporarily expanded to include the service areas of the CVP (as shown on Map 214-208-12581 on file with Application 5626).

6. The Jones Pumping Plant and the Banks Pumping Plant are temporarily added as authorized points of diversion under each license.

7. Diversion of water at the Delta Pumps pursuant to this Order is subject to compliance by the SWP and CVP project operators with the objectives set forth in Tables 1, 2 and 3 on page 181 to 187 of State Water Board's Revised Decision 1641 (D-1641), or any future State Water Board order or decision implementing Bay-Delta water quality objectives at those points of diversion/rediversion, including compliance with the various plans required under D-1641 as prerequisites for the use of the Joint Points of Diversion by DWR and Reclamation. Diversion of water at the Delta Pumps pursuant to this Order is subject to compliance by the pumping plant operators with all applicable biological opinions, court orders, and any other conditions imposed by other regulatory agencies applicable to these operations.

8. Water may not be transferred through the Delta Pumps until Petitioner has obtained the approval of Reclamation and DWR for its groundwater substitution operation. Such approval shall include the following elements:

    a. Only wells approved by Reclamation and DWR for suitability and acceptability may be used for groundwater substitution.

    b. The amount of transferable water credited to Petitioner's groundwater substitution water transfer operation is subject to the determination of Reclamation and DWR.

    c. Before commencing the groundwater substitution operation, Petitioner shall submit a Monitoring Program Plan and Mitigation Program Plan to DWR and Reclamation for evaluation and prior approval.

    d. Transferable water may be credited only during balanced conditions in the Sacramento-San Joaquin River Delta.

Documentation that an acceptable groundwater substitution operation has been approved by Reclamation and DWR shall be submitted to the Division within 15 days of the date such approval is granted by those entities.

9. During the period of transfer, Petitioner shall comply with applicable terms and conditions imposed by other regulatory agencies. This Order shall not be construed as authorizing the violation of any agreement entered into by the petitioner.

10. Within 90 days of the completion of the transfers, but no later than October 1, 2014, each licensee shall provide to the Deputy Director for Water Rights a report describing the transfer authorized by this Order. The report shall include the following information. Separate data shall be provided for each water right:

    a. General locations where the transferred water was used;

    b. The daily average rate water is made available for transfer pursuant to this Order;

    c. The daily average diversion rate for water diverted pursuant to Licenses 6389A, 6389C, 11001, 7064A, 7064B, 7064C and 6399 during the transfer period;

    d. The average daily streamflow measured at the nearest representative gaging station on the Sacramento River;

    e. The daily average pumping rate of groundwater pumped by Licensees in excess of that which would have been pumped in the absence of this transfer; and

    f. Groundwater elevations within the vicinity of the PGV prior to the proposed transfer.

    Licensees shall also develop and submit to the Deputy Director for Water Rights, by July 1 of each year following 2014, a map defining the groundwater elevations within the vicinity of PGV, until such time as these elevations correspond to pre-transfer levels.

11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this temporary change Order, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water 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 State Water Board also may be exercised by imposing specific requirements over and above those contained in this Order to minimize waste of water and to meet reasonable water requirements without unreasonable draft on the source.

12. This Order does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a “take” will result from any act authorized under this temporary transfer, the Petitioner shall obtain authorization for an incidental take permit prior to construction or operation. The Petitioner shall be responsible for meeting all requirements of the applicable Endangered Species Act for the temporary transfer authorized under this Order.

13. I reserve jurisdiction to supervise the transfer, exchange and use of water under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
JAMES W. KASSEL FOR

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: JUL 01 2013

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15858 PERMIT 9964 LICENSE 6399

THIS IS TO CERTIFY, *That* Harold R. Sewtell
P. O. Box 437
Rio Linda, California

has made proof as of April 28, 1959,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of Cross Canal in Sutter County

tributary to Sacramento River

for the purpose of irrigation and stockwatering uses
under Permit 9964 *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* April 30, 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 and twenty-six hundredths (2.26) cubic feet per second to be diverted from about March 15 to about October 1 of each year for irrigation and stockwatering uses and throughout the remainder of the year as required for stockwatering use.

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 eighteen degrees east (S18°E)
One thousand (1000) feet from NW corner of Section 24, T11N, R3E, MDB&M, being within NW¼ of NW¼ of said Section 24.

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

27.5 acres within NW¼ of SW¼ of Section 12, T11N, R3E, MDB&M
34.0 acres within NE¼ of SW¼ of Section 12, T11N, R3E, MDB&M
39.7 acres within SW¼ of SW¼ of Section 12, T11N, R3E, MDB&M
40.0 acres within SE¼ of SW¼ of Section 12, T11N, R3E, MDB&M
35.5 acres within NW¼ of NW¼ of Section 13, T11N, R3E, MDB&M
40.0 acres within NE¼ of NW¼ of Section 13, T11N, R3E, MDB&M
216.7 acres total

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 7 1961

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

6-3.82 Assgd to Barney D & Eugenie K. Murdock

LICENSE 6399

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Harold R. Sawtell

DATED JUL 7 1961

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