

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

**DIVISION OF WATER RIGHTS**

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In the Matter of License 6849 (Application 9106)

**Dean L. Killion and Lela R. Killion**  
**Robert L. Harman and Ella A. Harman**

**ORDER REVOKING LICENSE**

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SOURCE: Unnamed Creek tributary to Keys Creek thence San Luis Rey River

COUNTY: San Diego

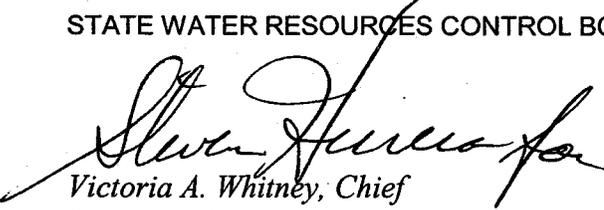
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**WHEREAS:**

1. Revocation Request forms dated March 15, 2006 and March 20, 2006 have been received from the Licensee's, requesting revocation of the license by the State Water Resources Control Board (State Water Board), 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 6849 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 20 2006



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 9106

PERMIT 5108

LICENSE 6849

THIS IS TO CERTIFY, That

Truman C. Kuehn  
Valley Center  
California

Notice of Change (Over)

has made proof as of January 21, 1959,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
an unnamed creek in San Diego County  
tributary to Keys Canyon thence San Luis Rey River

for the purpose of irrigation and domestic uses  
under Permit 5108 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 September 7, 1937,  
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 fourteen thousand (14,000)  
gallons per day by direct diversion to be diverted from about March 1 to about  
December 1 of each year and throughout the remainder of the year as required for  
domestic purposes and one and one hundred forty-eight thousandths (1.148) acre-  
feet per annum by storage to be collected from about January 1 to about May 1 of  
each year.

The points of diversion of such water are located :

- (1) South four hundred (400) feet and east twenty (20) feet from NW corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 30, T10S, R1W, SBB&M, being within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 30.
- (2) North two hundred thirty (230) feet and east six hundred sixty (660) feet from NW corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 30, T10S, R1W, SBB&M, being within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 30.

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

Domestic use and irrigation of 11 acres within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 30, T10S, R1W, SBB&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 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 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 the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in relation to any services or the price of the services to be rendered by any licensee or by the holder of any license granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of 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 right granted 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 land 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 any political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain.

Dated: JUN 10 1963



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

12-24-75 RECEIVED NOTICE OF ASSIGNMENT TO D. N. Wern

LICENSE 6849

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Truman C. Kuehn

DATED JUN 10 1963