

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 7334 (Application 16513)

**Lucy Barnes**

**ORDER REVOKING LICENSE**

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SOURCE: Heiney Gulch tributary to North Fork Salmon River

COUNTY: Siskiyou

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**WHEREAS:**

1. A revocation request form dated February 18, 2005 has been received from the Licensee 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 7734 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.

  
*Victoria A. Whitney, Chief*  
*Division of Water Rights*

Dated:

**JUL 13 2005**



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

APPLICATION 16513

PERMIT 10513

LICENSE 7334

Adelle M. Brown  
Forks of Salmon, California

**THIS IS TO CERTIFY, That**

*has made proof as of July 25, 1963,*  
*(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of*  
Heiney Gulch in Siskiyou County  
*tributary to* North Fork Salmon River

*for the purpose of* mining and domestic uses  
under Permit 10513 *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* August 10, 1955,  
*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* three (3) cubic feet per  
second to be diverted from about December 1 of each year to about July 1 of the  
succeeding year and throughout the year as required for domestic purposes.

**The points of diversion of such water are located :**

- (1) Mining South two thousand (2000) feet and east one thousand four hundred (1400) feet from NW corner of Section 33, T<sup>4</sup>ON, R12W, MDB&M, being within SE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of said Section 33.
- (2) Domestic Due south eight hundred fifty (850) feet from NW corner of Section 33, T<sup>4</sup>ON, R12W, MDB&M, being within NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of said Section 33.

Water used for mining purposes will be released to North Fork Salmon River within SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 29, T<sup>4</sup>ON, R12W, MDB&M.

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

- (1) Mining use at Browns Bar No. 1 and No. 2, within SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 29, T<sup>4</sup>ON, R12W, MDB&M.
- (2) Domestic use within NE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Section 32, T<sup>4</sup>ON, R12W, MDB&M.

This license shall in no way be construed as conferring upon licensee right of

*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.

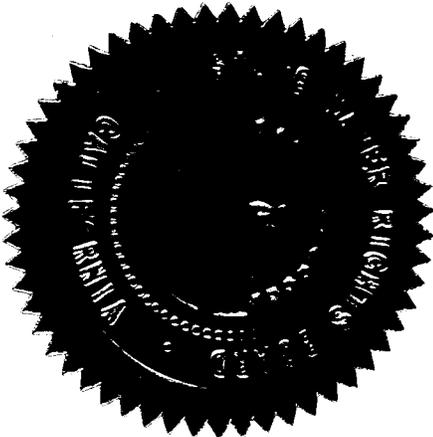
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

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: JUN 14 1985



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