

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

DIVISION OF WATER RIGHTS

In the Matter of License 8728 (Application 20631)

United States Bureau of Land Management

ORDER REVOKING LICENSE

SOURCE: Unnamed Spring

COUNTY: Shasta

WHEREAS:

1. License 8728 was issued pursuant to permitted Application 20631 on July 29, 1968, and was recorded with the County Recorder of Shasta County on August 1, 1968, in Book number 961, Page number 130. Recording of this license, and subsequent orders issued thereto, is prescribed by Water Code section 1650.
2. The Licensee requested on July 28, 2008 that the License be revoked by the State Water Resources Control Board (State Water Board), Division of Water Rights (Division).
3. 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 1675.1.

Therefore, it is ordered that License 8728 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, Deputy Director
Division of Water Rights*

Dated:

SEP 18 2008

Recording Requested by:
 STATE WATER RESOURCES CONTROL BOARD
 Pursuant to Government Code Sec. 6103.

When Recorded Mail to:
 STATE WATER RESOURCES CONTROL BOARD
 Room 1140, Resources Building
 Sacramento, California 95814

RECORDED AT REQUEST OF
 State Water Resources Control Board
 AT 7 MIN. PAST 10 A.M.
 OFFICIAL RECORDS SHASTA COUNTY, CALIF.

AUG 1 1968
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STATE OF CALIFORNIA
 THE RESOURCES AGENCY
 STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 20631

PERMIT 13725

LICENSE 8728

THIS IS TO CERTIFY, That **JACK C. GUTTE**
3016 LINCOLN AVENUE, ALAMEDA, CALIFORNIA 94501

HAS made proof as of **JUNE 16, 1967** (the date of inspection)
 to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN UNNAMED SPRING IN SHASTA COUNTY

tributary to **AN UNNAMED STREAM THENCE DEADWOOD CREEK THENCE WHISKEY CREEK THENCE
 CLEAR CREEK THENCE SACRAMENTO RIVER**

for the purpose of **DOMESTIC AND FIRE PROTECTION USES**
 under Permit **13725** of the Board and that the right to the use of this water has been perfected in
 accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
 this right dates from **FEBRUARY 26, 1962** and that the amount of water to which this right is
 entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
 not exceed **THREE THOUSAND EIGHT HUNDRED (3,800) GALLONS PER DAY FOR DOMESTIC PURPOSES**
OR SIX THOUSAND FIVE HUNDRED (6,500) GALLONS PER DAY TOTAL FOR DOMESTIC AND FIRE
PROTECTION PURPOSES TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR,
 PROVIDED HOWEVER, THAT NOTHING HEREIN CONTAINED SHALL BE CONSTRUED AS CONFIRMING
 IN LICENSEE ANY RIGHT, WHICH SHALL BE GOOD AS AGAINST A SUBSEQUENT APPROPRIATOR,
 TO AN AMOUNT FOR FIRE PROTECTION EXCEPT WHEN THERE EXISTS AN ACTUAL NEED THEREOF
 FOR FIRE FIGHTING USE.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

**NORTH 600 FEET AND WEST 1,800 FEET FROM SE CORNER OF PROJECTED SECTION 30, T33N,
 R6W, NDB&M, BEING WITHIN SW1/4 OF SE1/4 OF SAID SECTION 30.**

**A DESCRIPTION OF LANDS OR THE PLACE WHERE
 SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:**

WITHIN SW1/4 OF SE1/4 OF PROJECTED SECTION 30, T33N, R6W, NDB&M.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

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 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 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 29 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward

Chief, Division of Water Rights

STATE WATER RESOURCES
CONTROL BOARD
SACRAMENTO

AUG 19 1 40 PM '68

D.D.

S.S.

COMPARED
MICROFILMED

STATE OF CALIFORNIA }
STATE WATER RESOURCES CONTROL BOARD } ss.

CERTIFICATE 6466
APPLICATION 20631
PERMIT 13725
LICENSE 8728

I, Kathryn Holley, *having custody of*
the files and records of the State Water Resources Control Board, State of California, do
hereby certify that the attached license

is a true copy of the original on file on this office.

WITNESS *my hand and the seal of the State Water Resources Control Board, State of*
California, this 31st *day of* July, 1968.

Kathryn Holley

Title Supervising File Clerk

100
100
100
100

yellow paper

license



100

100

100

Administrative File 100

100
100