

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

DIVISION OF WATER RIGHTS

In the Matter of License 10157 (Application 22860)

Gloria G. Harris

ORDER REVOKING LICENSE

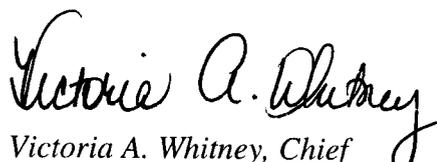
SOURCE: (1) Unnamed Stream tributary to North Fork Jackson Creek
(2) Mine Shaft tributary to Unnamed Stream thence North Fork Jackson Creek

COUNTY: Amador

WHEREAS:

1. A request dated February 6, 2004 has been received from Licensee, Gloria Harris, stating that the Licensee has requested revocation of the license by the State Water Resources Control Board (SWRCB), Division of Water Rights (Division). Christopher Flint, current owner of the property served by License 10157, concurred with revocation of License 10157 during a March 29, 2004 telephone conversation with Division staff.
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 10157 is hereby revoked by the SWRCB, 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 SWRCB decisions regarding water availability.


Victoria A. Whitney, Chief
Division of Water Rights

Dated: JUN 08 2004

MAILING LIST:

REGULAR MAIL:

Cristopher and Dale Lisa Flint
11861 Raggio Road
Jackson, CA 95642

Gloria G. Harris
P.O. Box 598
Jackson, CA 95642-0598

County Recorder
County of Amador
108 Court Street
Jackson, CA 95642

bcc: License Section Field Files



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 22860

PERMIT 15616

LICENSE 10157 *chg.*

THIS IS TO CERTIFY, That

ARTHUR J. HARRIS
P. O. BOX 327, JACKSON, CALIFORNIA 95642

HAS made proof as of JULY 5, 1972 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
(1) AN UNNAMED STREAM AND (2) MINE SHAFT IN AMADOR COUNTY

tributary to (1) NORTH FORK JACKSON CREEK AND (2) AN UNNAMED STREAM THENCE
NORTH FORK JACKSON CREEK

for the purpose of IRRIGATION, DOMESTIC, STOCKWATERING, RECREATIONAL AND
FIRE PROTECTION USES
under Permit 15616 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 JULY 25, 1967 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 (A) THIRTEEN THOUSAND FOUR HUNDRED (13,400) GALLONS PER
DAY BY DIRECT DIVERSION, TO BE DIVERTED FROM APRIL 1 TO OCTOBER 31 OF EACH YEAR,
AND THROUGHOUT THE YEAR AS REQUIRED FOR FIRE PROTECTION PURPOSES AND EIGHT
HUNDRED FIFTY-FIVE (855) GALLONS PER DAY, TO BE DIVERTED FROM NOVEMBER 1 OF
EACH YEAR TO MARCH 31 OF THE SUCCEEDING YEAR FOR DOMESTIC AND STOCKWATERING
PURPOSES; AND (B) TWO (2) ACRE-FEET PER ANNUM BY STORAGE, TO BE COLLECTED FROM
OCTOBER 1 OF EACH YEAR TO APRIL 1 OF THE SUCCEEDING YEAR. THE EQUIVALENT OF
THE CONTINUOUS FLOW ALLOWANCE BY DIRECT DIVERSION FOR ANY 30-DAY PERIOD MAY BE
DIVERTED IN A SHORTER TIME IF THERE IS NO INTERFERENCE WITH VESTED RIGHTS. THE
TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE BY DIRECT DIVERSION AND
COLLECTION TO STORAGE SHALL NOT EXCEED 8.5 ACRE-FEET PER YEAR.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) SOUTH 300 FEET AND WEST 1,700 FEET FROM E¹/₄ CORNER OF SECTION 9, T₆N, R₁₁E, MDB&M, BEING WITHIN NW¹/₄ OF SE¹/₄ OF SAID SECTION 9, AND
- (2) SOUTH 600 FEET AND WEST 1,750 FEET FROM E¹/₄ CORNER OF SECTION 9, T₆N, R₁₁E, MDB&M, BEING WITHIN NW¹/₄ OF SE¹/₄ OF SAID SECTION 9.

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

DOMESTIC, STOCKWATERING, RECREATIONAL AND FIRE PROTECTION USES AT AND NEAR RESERVOIR
WITHIN SE¹/₄ OF SE¹/₄ OF SECTION 9, T₆N, R₁₁E, MDB&M, AND IRRIGATION OF 12 ACRES WITHIN
15 ACRES LOCATED AS FOLLOWS:

12 ACRES WITHIN SE¹/₄ OF SE¹/₄ OF SECTION 9, T₆N, R₁₁E, MDB&M
3 ACRES WITHIN NE¹/₄ OF NE¹/₄ OF SECTION 16, T₆N, R₁₁E, MDB&M

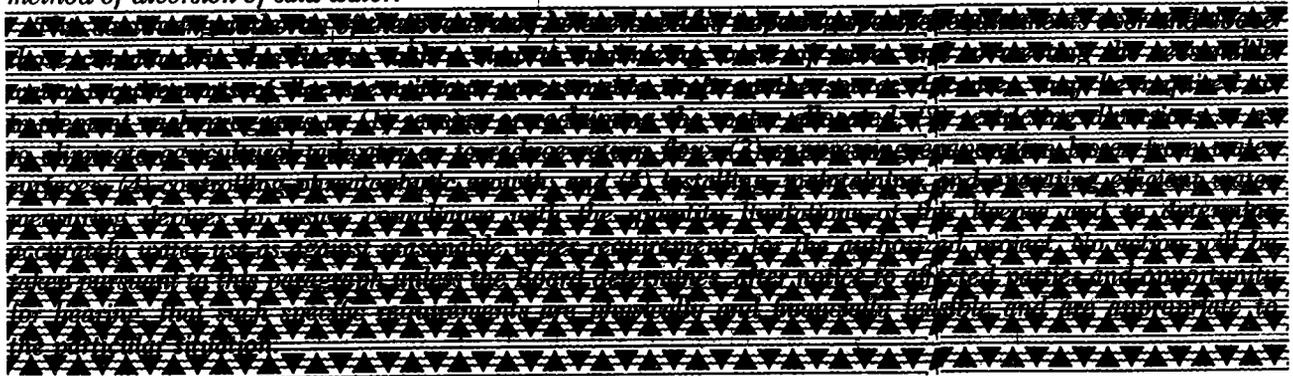
15 ACRES TOTAL

UPON A JUDICIAL DETERMINATION THAT THE PLACE OF USE UNDER THIS LICENSE OR A PORTION THEREOF IS ENTITLED TO THE USE OF WATER BY RIPARIAN AND/OR PRE-1914 APPROPRIATIVE RIGHT, THE RIGHTS SO DETERMINED AND THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL NOT RESULT IN COMBINED RIGHT TO THE USE OF WATER IN EXCESS OF THAT WHICH COULD BE CLAIMED UNDER THE LARGEST OF THE RIGHTS.

THIS LICENSE IS ISSUED EXPRESSLY SUBJECT TO THE TERMS OF THAT CERTAIN STIPULATION DATED DECEMBER 13, 1967, BETWEEN THE APPLICANTS AND JACKSON VALLEY IRRIGATION DISTRICT, AND PLACED ON RECORD IN THE OFFICE OF THE STATE WATER RESOURCES CONTROL BOARD, IN CONNECTION WITH APPLICATION 22860, TO THE EXTENT THAT THE PROVISIONS OF THE AGREEMENT RELATE TO MATTERS WITHIN THE JURISDICTION OF THE BOARD.

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 10 1973

4.19.78 asgd. to Gloria E. Harris STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights