

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

**ORDER**

APPLICATION 23872

PERMIT 16364

LICENSE 10307

**ORDER DELETING LICENSE TERM REQUIRING A  
WATER EXCHANGE CONTRACT**

**WHEREAS:**

1. License 10307 was issued to Patrick J. and Bessie Jo Tillman and recorded with the County Recorder of Shasta County in Volume 1227 on Page 61 on June 18, 1974.
2. An inspection was made on October 17, 1980 and on August 27, 1981 and it was determined that surface hydraulic continuity between the point of diversion (unnamed spring) and Shasta Lake does not exist during July and August. Therefore, the requirement for a water exchange contract with the Shasta County Water Agency should be deleted.
3. The State Water Resources Control Board has determined that good and sufficient cause has been shown for said deletion of the water exchange contract requirement.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following paragraph under License 10307 is hereby deleted:

Diversion of water under this license from July 1 to August 31 of each year is allowed only so long as a water exchange contract with Shasta County Water Agency is in effect which covers the full amount of water diverted under this license during said period of July 1 to August 31.

MARCH 8 1982

Dated:

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights



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

## License for Diversion and Use of Water

APPLICATION 23872

PERMIT 16364

LICENSE 10307

THIS IS TO CERTIFY, That

PATRICK J. TILLMAN AND BESSIE JO TILLMAN  
STAR ROUTE, BOX 880, LAKEHEAD, CALIFORNIA 96051

HAVE made proof as of JUNE 14, 1973 (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 SACRAMENTO RIVER ARM OF SHASTA LAKE

for the purpose of DOMESTIC USE  
under Permit 16364 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 SEPTEMBER 21, 1971 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 FOUR HUNDRED (400) GALLONS PER DAY, TO BE DIVERTED FROM  
JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE EQUIVALENT OF SUCH CONTINUOUS FLOW  
ALLOWANCE FOR ANY 7-DAY PERIOD MAY BE DIVERTED IN A SHORTER TIME IF THERE IS  
NO INTERFERENCE WITH OTHER VESTED RIGHTS.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 82° WEST 600 FEET FROM S1/4 CORNER OF SECTION 26, T35N, R5W, MDB&M,  
BEING WITHIN SE1/4 OF SW1/4 OF SAID SECTION 26.

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 SECTION 26, T35N, R5W, MDB&M.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION  
BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND  
AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY  
TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN  
OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER  
CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS  
THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN  
EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT  
UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES  
CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS  
LICENSE FOR THE PURPOSE OF CONFORMING THE SEASON OF DIVERSION TO LATER FINDINGS  
OF THE BOARD ON PRIOR APPLICATIONS INVOLVING WATER IN THE SACRAMENTO RIVER BASIN  
AND DELTA. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED  
PARTIES AND OPPORTUNITY FOR HEARING.

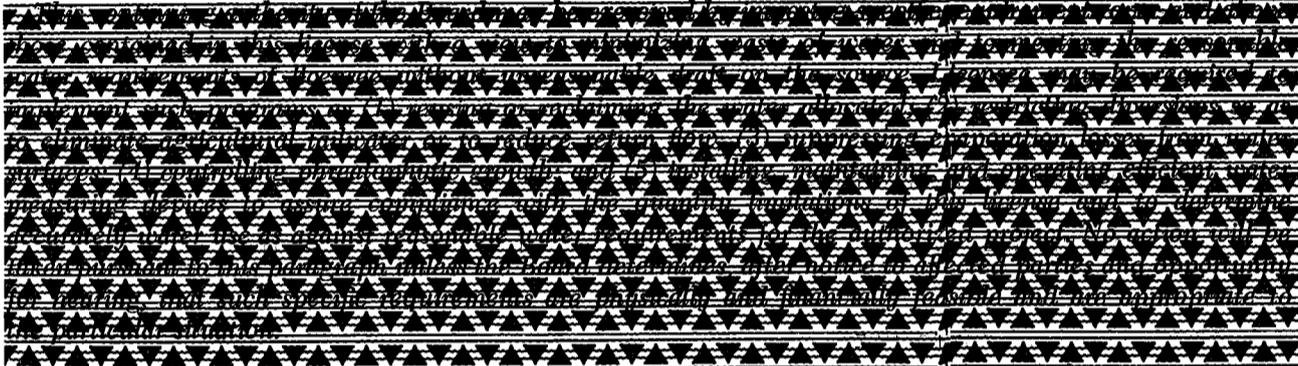
THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL BE OF EQUAL PRIORITY WITH THE RIGHT ACQUIRED UNDER ANY LICENSE ISSUED PURSUANT TO APPLICATION 23898.

DIVERSION OF WATER UNDER THIS LICENSE FROM JULY 1 TO AUGUST 31 OF EACH YEAR IS ALLOWED ONLY SO LONG AS A WATER EXCHANGE CONTRACT WITH SHASTA COUNTY WATER AGENCY IS IN EFFECT WHICH COVERS THE FULL AMOUNT OF WATER DIVERTED UNDER THIS LICENSE DURING SAID PERIOD OF JULY 1 TO AUGUST 31.

THIS LICENSE SHALL NOT BE CONSTRUED AS CONFERRING UPON THE LICENSEE RIGHT OF ACCESS TO THE POINT OF DIVERSION.

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 therefore 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 17 1974

STATE WATER RESOURCES CONTROL BOARD

*R. J. Roenberger*  
Chief, Division of Water Rights