

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

DIVISION OF WATER RIGHTS

In the Matter of License 10312 (Application 22848)

Rachel Shade Wall

ORDER REVOKING LICENSE

SOURCE: Van Buren Creek

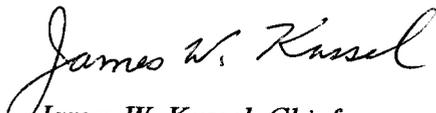
COUNTY: Sonoma

WHEREAS:

1. A request dated June 11, 2004, has been received on behalf of the Licensee that the license be revoked by the State Water Resources Control Board (SWRCB), 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 1410 and 1410.1.
3. The SWRCB has found that Licensee failed to apply the water to beneficial use under the terms and conditions of this license.

THEREFORE:

It is ordered that License 10312 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.


James W. Kassel, Chief
Hearings and Special Projects Section

Dated: DEC 9 2004



THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY LABORATORY

CHICAGO, ILLINOIS

REPORT OF RESEARCH

BY

ROBERT H. SCHUBERT

1954

Submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy

to the Faculty of the Division of the Physical Sciences

of the University of Chicago

1954

Approved by the Department of Chemistry

Approved by the Faculty of the Division of the Physical Sciences

1954



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

License for Diversion and Use of Water

APPLICATION 22848

PERMIT 15750

LICENSE 10312

THIS IS TO CERTIFY, That

RACHEL SHADE WALL
6501 ERLAND ROAD, SANTA ROSA, CALIFORNIA 95404

HAS made proof as of JULY 5, 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
VAN BUREN CREEK IN SONOMA COUNTY

tributary to MARK WEST CREEK THENCE RUSSIAN RIVER

for the purpose of IRRIGATION, DOMESTIC AND STOCKWATERING USES
under Permit 15750 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 5, 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 TWENTY-FIVE THOUSANDTHS (0.025) CUBIC FOOT PER SECOND, TO
BE DIVERTED FROM MAY 1 TO OCTOBER 31 OF EACH YEAR AND FOUR HUNDRED TEN (410)
GALLONS PER DAY THROUGHOUT THE REMAINDER OF THE YEAR FOR DOMESTIC AND STOCKWATERING
USES. THE MAXIMUM AMOUNT DIVERTED UNDER THIS LICENSE SHALL NOT EXCEED 3 ACRE-Feet
PER YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

DUE NORTH 150 FEET FROM S1/4 CORNER OF SECTION 27, T8N, R7W, MDB&M, BEING
WITHIN SW1/4 OF SE1/4 OF SAID SECTION 27.

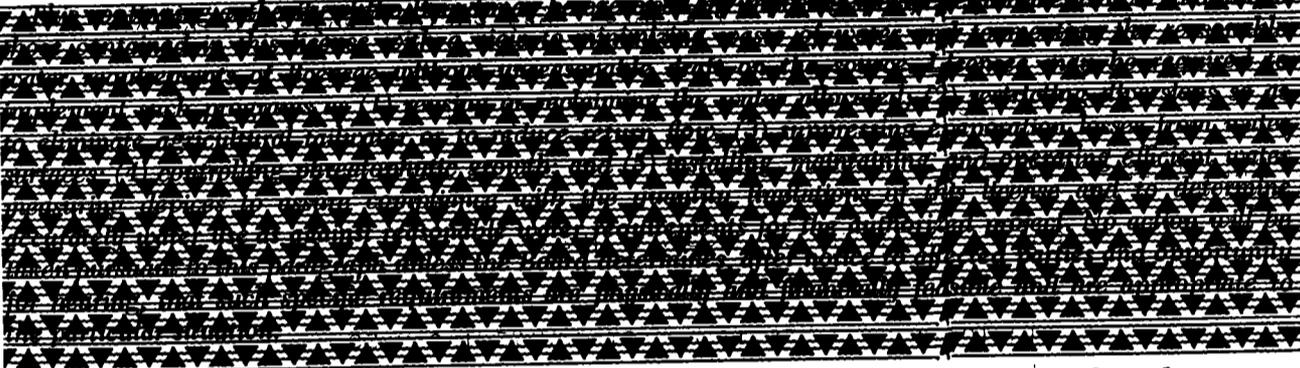
A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

DOMESTIC AND STOCKWATERING USES AND IRRIGATION OF 1 ACRE WITHIN SE1/4 OF
SW1/4 OF SECTION 27, T8N, R7W, MDB&M.

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 RIGHT, THE RIGHT SO
DETERMINED AND THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL NOT RESULT IN A
COMBINED RIGHT TO THE USE OF WATER IN EXCESS OF THAT WHICH COULD BE CLAIMED UNDER
THE LARGER OF THE TWO RIGHTS.

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, AND TO CARRY OUT LEGALLY ESTABLISHED WATER QUALITY OBJECTIVES.



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: JUN 17 1974

STATE WATER RESOURCES CONTROL BOARD

R. J. Rosenberger
Chief, Division of Water Rights