



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

License for Diversion and Use of Water

APPLICATION 23570

PERMIT 16440

LICENSE 10651

THIS IS TO CERTIFY, That

HARRY E. HAZELTINE AND ADELE M. HAZELTINE *apl*
1414 COURT STREET, REDDING, CALIFORNIA 96001

HAVE *made proof as of* OCTOBER 30, 1975 *(the date of inspection)*
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
ASH CREEK IN SHASTA COUNTY

tributary to SACRAMENTO RIVER

for the purpose of RECREATIONAL AND FISH CULTURE USES
under Permit 16440 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 27, 1970 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 ONE AND TWENTY-FIVE HUNDREDTHS (1.25) ACRE-FEET PER ANNUM,
TO BE COLLECTED FROM NOVEMBER 1 OF EACH YEAR TO APRIL 1 OF THE SUCCEEDING YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 1,300 FEET AND EAST 30 FEET FROM SW CORNER OF SECTION 33, T31N, R1E,
MDB&M, BEING WITHIN SW¹/₄ OF SW¹/₄ OF SAID SECTION 33.

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

WITHIN SW¹/₄ OF SW¹/₄ AND NW¹/₄ OF SW¹/₄ OF SECTION 33, T31N, R1E, MDB&M.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR
AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS
SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER
ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT
STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY
TO SATISFY DOWNSTREAM PRIOR RIGHTS.

AFTER THE INITIAL FILLING OF THE STORAGE RESERVOIR, LICENSEE'S RIGHT UNDER
THIS LICENSE EXTENDS ONLY TO WATER NECESSARY TO KEEP THE RESERVOIR FULL BY REPLACING
WATER LOST BY EVAPORATION AND SEEPAGE, AND TO REFILL IF EMPTIED FOR NECESSARY
MAINTENANCE OR REPAIR. SUCH RIGHT SHALL BE EXERCISED ONLY DURING THE DIVERSION SEASON.

LICENSEE SHALL ACCORD TO THE PUBLIC, FOR THE PURPOSE OF FISHING, THE RIGHT OF
ACCESS TO THE WATERS IMPOUNDED BY THE DAM UNDER THIS LICENSE DURING THE OPEN SEASON
FOR THE TAKING OF FISH SUBJECT TO THE REGULATIONS OF THE FISH AND GAME COMMISSION.

LICENSEE SHALL KEEP THE CHANNEL OF ASH CREEK THROUGH HIS PROPERTY AND THE
RESERVOIR AND THE AREA AROUND ITS PERIMETER FREE OF PHREATOPHYTES, TAKING WHATEVER
MEASURES ARE NECESSARY TO ACCOMPLISH THIS OBJECTIVE ON A REGULAR MAINTENANCE BASIS.

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.

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: MAY 25 1976

STATE WATER RESOURCES CONTROL BOARD

R. J. Roenberger
Chief, Division of Water Rights

2-14-90 agd to Mark Braunberg
8-27-92 agd to Phillip L. & Suzanne W. Jackson;

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

ORDER

APPLICATION 23570 PERMIT 16440 LICENSE 10651

ORDER CORRECTING TERMS IN LICENSE 10651

WHEREAS:

1. License 10651 was issued to Harry E. Hazeltine and Adele M. Hazeltine and was recorded with the County Recorder of Shasta County on June 7, 1976 in Volume 1343, Page 506.
2. License 10651 contains Term 64 because it was understood that Ash Creek was naturally frequented by fish.
3. A request to remove Term 64 under said license has been filed with the State Water Resources Control Board.
4. The Department of Fish and Game concluded that Ash Creek is not naturally frequented by fish and that the term is not required. Fish and Game has no objections to removal of Term 64 from License 10651.
5. The State Water Resources Control Board has determined that said removal of Term 64 will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.

NOW, THEREFORE, IT IS ORDERED THAT:

Term 64 under License 10651 be removed.

Dated: MAY 2 1984

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights