



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

## License for Diversion and Use of Water

APPLICATION 22102  
PAGE 1 OF 3

PERMIT 15140

LICENSE 11121

SOUTH SUTTER WATER DISTRICT  
**THIS IS TO CERTIFY, That** c/o MURRAY, BURNS AND KIENLEN,  
1107 - 9TH STREET, ROOM 600, FORUM BUILDING, SACRAMENTO, CALIFORNIA 95814

HAS *made proof as of* DECEMBER 19, 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  
(1) EAST SIDE CANAL (2) COON CREEK (3) MARKHAM RAVINE (4) AUBURN RAVINE IN  
SUTTER COUNTY  
tributary to (2)(3)(4) EAST SIDE CANAL THENCE (1)(2)(3)(4) NATOMAS CROSS CANAL THENCE  
SACRAMENTO RIVER

for the purpose of IRRIGATION USE  
under Permit 15140 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 APRIL 12, 1965 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 FORTY AND THREE-TENTHS (40.3) CUBIC FEET PER SECOND TO BE  
DIVERTED FROM APRIL 1 TO JUNE 15 AND FROM SEPTEMBER 1 TO OCTOBER 31 OF EACH YEAR. 5  
THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY BE 27  
DIVERTED IN A SHORTER TIME, IF THERE BE NO INTERFERENCE WITH OTHER VESTED RIGHTS.  
THE MAXIMUM AMOUNT DIVERTED UNDER THIS LICENSE SHALL NOT EXCEED 4,769 ACRE-FEET  
PER YEAR.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

(1) THE UPSTREAM LIMITS OF DIVERSION UNDER THIS LICENSE ARE "POINT B" ON COON CREEK,  
LOCATED SOUTH 1,000 FEET FROM NE CORNER OF SECTION 33, T13N, R5E, MDB&M, BEING  
WITHIN NE1/4 OF NE1/4 OF SAID SECTION 33; "POINT C" ON MARKHAM RAVINE, LOCATED NORTH  
1,650 FEET FROM SE CORNER OF SECTION 16, T12N, R5E, MDB&M, BEING WITHIN NE1/4 OF  
SE1/4 OF SAID SECTION 16; AND "POINT D" ON AUBURN RAVINE, LOCATED SOUTH 2,600 FEET  
FROM NE CORNER OF SECTION 28, T12N, R5E, MDB&M, BEING WITHIN SE1/4 OF NE1/4 OF SAID  
SECTION 28.

(2) THE DOWNSTREAM LIMIT OF DIVERSION UNDER THIS LICENSE IS "POINT A" ON EAST SIDE  
CANAL, LOCATED SOUTH 250 FEET AND EAST 350 FEET FROM NW CORNER OF SECTION 34, T12N,  
R4E, MDB&M, BEING WITHIN NW1/4 OF NW1/4 OF SAID SECTION 34.

DIVERSIONS ARE AUTHORIZED AT ANY POINT ON COON CREEK, MARKHAM RAVINE, AUBURN RAVINE,  
AND EAST SIDE CANAL BETWEEN THE UPSTREAM AND DOWNSTREAM LIMITS. WATER MAY ALSO BE  
DIVERTED FROM MARKHAM RAVINE FOR REDIVERSION ALONG BUNKHAM SLOUGH BETWEEN SAID  
UPSTREAM AND DOWNSTREAM LIMITS.

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

4,000 ACRES NET WITHIN A GROSS AREA OF 43,675 ACRES WITHIN T11N, R4E; T11N, R5E;  
T12N, R3E; T12N, R4E; T12N, R5E; T13N, R4E; AND T13N, R5E, ALL MDB&M, AS SHOWN ON  
MAP FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

LICENSEE SHALL INSTALL AND MAINTAIN A SUITABLE MEASURING DEVICE IN COON CREEK  
AT THE EAST BOUNDARY OF THE SOUTH SUTTER WATER DISTRICT TO MEASURE THE FLOW OF  
COON CREEK INTO THE DISTRICT. 0060062

*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.*

*Pursuant to California Water Code Sections 100 and 275, 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 State Water Resources Control 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.*

*This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.*

*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 26 1981

STATE WATER RESOURCES CONTROL BOARD

*Raymond Walsh*

Chief, Division of Water Rights

LICENSEE SHALL MAINTAIN AN OUTLET OR BY-PASS OF ADEQUATE CAPACITY OVER THE DAM AT "POINT A" ON EAST SIDE CANAL, SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD TO ENABLE THE RELEASE OF ALL WATER TO WHICH DOWNSTREAM USERS MAY BE ENTITLED. 0050400

TO THE EXTENT THAT WATER IS AVAILABLE AT THE POINT OF DIVERSION HEREIN DESCRIBED, LICENSEE SHALL AT ALL TIMES BY-PASS SUFFICIENT FLOWS TO SATISFY DOWNSTREAM PRIOR RIGHTS EXCEPT THAT THE PERMITTEE SHALL NOT BE REQUIRED TO BY-PASS ANY RETURN FLOW OR RELEASES TO WHICH LICENSEE IS ENTITLED BY VIRTUE OF THE OPERATION OF THE CAMP FAR WEST PROJECT.

DIVERSION UNDER THIS LICENSE BY THE DISTRICT'S CUSTOMERS BETWEEN "POINT B" ON COON CREEK AND THE DIVERSION POINT OF PROTESTANTS COX IS LIMITED TO THOSE TIMES WHEN SUCH DIVERSION WILL NOT INTERFERE WITH THE RIGHTS OF PROTESTANTS COX UNDER LICENSE 5686 (APPLICATION 15716).

LICENSEE SHALL PROMPTLY NOTIFY THE BOARD OF ANY CHANGES IN THE LOCATION OF POINTS OF DIVERSION OR DIVERSION WORKS CAPACITIES OF CUSTOMERS USING WATER UNDER THIS LICENSE. SUCH CHANGES ARE IN REFERENCE TO INFORMATION SUPPLIED IN COMPLIANCE WITH TERM 3(B) OF "ORDER ALLOWING CHANGE IN POINT OF DIVERSION AND PLACE OF USE", DATED APRIL 28, 1976.

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.

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