



Winston H. Hickox
Secretary for
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Protection

State Water Resources Control Board

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Gray Davis
Governor

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NOTICE OF PUBLIC HEARING

**Proposed Revocation of Licenses 2412 and 2413
(Applications 8292 and 9220) of
Delta Sugar Corporation; Randall M. Schaber; Kaufman Properties, Inc.; Stanich
Investments; Riverfront Development Corporation; and DJKM Family Partners**

Sacramento River in Yolo County

Commencing at 10:00 a.m. on Tuesday, August 7, 2001

**Joe Serna, Jr./Cal-EPA Building
1001 I Street, Second Floor Coastal Hearing Room
Sacramento, CA**

SUBJECT OF HEARING

This hearing is scheduled to receive evidence which will assist the State Water Resources Control Board (SWRCB) in determining whether licenses 2412 and 2413 of Delta Sugar et al., should be revoked for failure to put the water authorized to be diverted pursuant to the licenses to a useful and beneficial purpose for five consecutive years or more.

BACKGROUND

Licenses 2412 and 2413 (Applications 8292 and 9220) were issued April 7, 1942 and have respective priority dates of March 21, 1935 and January 5, 1938. The licenses authorize direct diversion from the Sacramento River at a point at or near the Delta Sugar site from about July 1st to about December 31st of each season. Licenses 2412 and 2413 authorize the direct diversion of 6.7 cubic feet per second (cfs) and 5.0 cfs, respectively.

On February 6, 2001, the Division of Water Rights (Division) received petitions for change in point of diversion, place of use, and purpose of use from Delta Sugar Corporation for Licenses 2412 and 2413. In reviewing the petitions for change, staff of the Division noticed that no water had been diverted and used pursuant to Licenses 2412 and 2413 since 1993. Consequently, on April 11, 2001, the Division issued a Notice of Proposed Revocation for Licenses 2412 and 2413.

The Notices of Proposed Revocation for Licenses 2412 and 2413 state that:

“The Facts and information upon which the proposed revocations are based are the following:

“1. Letter dated June 28, 1995 from A.L. Sandberg, President of Delta Sugar Corporation which states that Delta Sugar Corporation ceased processing sugar beets and no water was drawn during 1994.

“2. The last Report of Licensee was received July 5, 1995 and reported the use of water for 1992 and 1993. No use was reported for 1994 and no subsequent Reports of Licensee have been filed.”

KEY ISSUE

Should License Nos. 2412 and 2413 (Applications 8292 and 9220) be revoked for non-use of water in accordance with Water Code sections 1241 and 1675, et seq.?

HEARING PARTICIPATION

All persons who plan to participate in this hearing should carefully read the enclosure entitled “Information Concerning Participation in Hearing on Water Rights.” As stated in that enclosure, parties intending to present evidence at the hearing must submit a “Notice of Intent to Appear” and written testimony and other exhibits which must be **RECEIVED** by the Board and **RECEIVED** by the persons on the enclosed Service List on or before **4:00 P.M. on July 31st**. Questions concerning this notice may be directed to Ruben Mora at (916) 341-5387 or Barbara Katz at (916) 341-5192. FAX # (916) 341-5400.

PARKING AND ACCESSIBILITY

The enclosed map shows the location of the Joe Serna, Jr./California Environmental Protection Agency (Cal-EPA) Building in Sacramento. Public parking is available in metered spaces on area streets, and in the public garages shown on the attached map.

The Cal-EPA Building second-floor hearing room is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Adrian Perez at (916) 341-5880 at least five working days prior to the meeting date. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922.

Signed By:

Maureen Marché
Clerk to the Board

Enclosures

Date: July 18, 2001