

7/27/12  
P.O. # 57499  
Dan Ch

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
1001 I Street, 14<sup>th</sup> Floor, Sacramento, CA 95814  
P.O. Box 2000, Sacramento, CA 95812-2000  
Info: (916) 341-5300, Fax: (916) 341-5431, [www.waterboards.ca.gov/waterrights](http://www.waterboards.ca.gov/waterrights)

INITIAL STATEMENT OF WATER DIVERSION AND USE

**NOTE: A Statement is not a Water Right**

This Statement should be typewritten or legibly written in ink and submitted to the address above.

A separate statement must be filed for each point of diversion.

An (\*) indicates a required section. Required sections must be completed for the Statement to be accepted.

\*A. Claimant/Agent Information

Claimant: <u>Lookout Ranch</u>	Agent: <u>Thomas Reila</u>
Mailing Address <u>P.O. Box 166</u>	Mailing Address
<u>Lookout, Ca. 96054</u>	
Phone No. <u>530-294-5272</u>	Phone No. <u>530-640-1638</u>
Fax No.	Fax No.
E-mail Address:	E-mail Address:

\*B. Water is diverted and used under the claim of: Riparian claim ☐ Pre 1914 claim ☐ Court Decree No 6395  
Other (explain):

\*C. Name of the body of water at the point of diversion

widow valley creek  
Tributary to Pit River

\*D. Point of diversion is located within Modoc County on Assessor's Parcel No. 11-360-02  
being within the SE 1/4 of NE 1/4 of Section 26, of Township 39N, Range 6E, MD B&M.

Provide the location of the point of diversion using the California Coordinate System (NAD 1983) or Latitude / Longitude measurements.

41.1941241, -121.2565326 / 41° 11' 38.8464" / -121° 15' 23.5152"

Identify the point of diversion and outline the place of use on a United States Geological Survey (USGS) topographic map and submit the map with the Statement.

Name of the diversion works is #32-Henstead Dam #2 Related Water Right(s)

E. Do you own the land at the point of diversion? Yes ☐ No ☐ If No, please provide the name and address of the land owner at the point of diversion:

\*F. Capacity of diversion works (cfs, gpm, or gpd) Capacity of storage tanks or reservoir 255 (gallons or acre-feet) total

Type of diversion facility: Gravity ☒ Creek Pump ☐ Well Pump ☐

Method of measurement: Weir ☐ Flume ☐ In line flow meter ☐ Electric Meter ☐ Estimate ☐

**NOTE: \* Monthly report below is optional until January 1, 2012, at which time the information becomes mandatory.**

\*Provide the maximum rate of diversion achieved in each month in the table below as measured in: cfs ☐, gpm ☐, or gpd ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec

\*G. Provide the quantity of water diverted each month in the table below as measured in: Gallons \_\_\_\_ Million gallons \_\_\_\_ Acre-feet 4

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
						255							255

H. Annual water use in recent years: Maximum \_\_\_\_\_ (gallons or acre-feet) Minimum \_\_\_\_\_ (gallons or acre-feet)

State the year of first use at diversion site or storage facility \_\_\_\_\_

\*I. Beneficial water use is for: (example, number of acres and type of crop irrigated, average number of persons served, number of stock watered, etc.) irrigated pasture

\*J. General description and location of the place of use shall be identified using a USGS topographic map, or if assigned, may be provided using the public land description to the nearest 40 acre parcel accompanied by the County Assessor's parcel map.

Appendix D

K. Please answer only those questions below that are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you have in place \_\_\_\_\_

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? YES \_\_\_ NO \_\_\_

3. Conjunctive use of surface water and groundwater

a. Are you using groundwater in lieu of surface water? YES \_\_\_ NO \_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

\*DATE: 6-28-10 at Lookout, California

\*SIGNATURE: Thomas J. Reila

\*PRINTED NAME: Thomas J. Reila  
(first name) (middle initial) (last name)

COMPANY NAME: Lookout Ranch

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to 1) store water for later use 2) divert water which originates in a different watershed 3) divert water released from storage, or 4) divert return flows from groundwater use.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission in December 1914, new appropriators have been required to obtain a permit or license from the State.

Statements of Water Diversion and Use must be filed by a riparian and/or pre-1914 appropriative water user. The filing of a statement 1) provides a record of water use, 2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and 3) assists the State in determining if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please visit the website [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/), or write to this office.

## SCHEDULE 2 (Cont'd.)

## POINTS OF DIVERSION FROM PIT RIVER STREAM SYSTEM IN BIG VALLEY

Name of diversion system	Number of :diversion :on State : Water : Rights : Board : Map	Approximate location of point of diversion : Legal sub-divi- : sion in which : diversion : occurs : MDB&M	Reference : corner for : distance and : bearing : MDB&M	Bearing : from : reference:corner : corner, : in feet	Distance : from : reference:corner
Taylor Creek Reservoir	29	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T39N, R7E	SW Cor. Sec. 8, N 88° E T39N, R7E		2925
Potter, proposed	29a	SW $\frac{1}{4}$ Sec. 27 and N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 34, T39N, R7E	(Proposed diversion)		
Potter No. 2, proposed	29b	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 and N $\frac{1}{2}$ Sec. 32, T40N, R6E	(Proposed diversion)		
Joiner, proposed	29c	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, T40N, R6E	(Proposed diversion)		
Kramer, proposed	29d	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T39N, R7E	(Proposed diversion)		
Hemsted Ditch	30	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T39N, R6E	E $\frac{1}{4}$ Cor. Sec. 21, N 76° E T39N, R6E		1300
Hemsted Dam No. 1	31	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T39N, R6E	SE Cor. Sec. 22, N 75° W T39N, R6E		1150
Lee Ditch	31a	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, T39N, R6E	Intercepting diversion within described legal subdivision.		
Hemsted Dam No. 2	32	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, T39N, R6E	NE Cor. Sec. 26, S 28° W T39N, R6E		2100
Hemsted Dam No. 3	33	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, T39N, R6E	NE Cor. Sec. 26, S 15° W T39N, R6E		1500
Hemsted Dam No. 4	34	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, T39N, R6E	NW Cor. Sec. 25, S 30° E T39N, R6E		700
Hemsted Dam No. 5	35	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, T39N, R6E	SW Cor. Sec. 24, N 33° E T39N, R6E		1550
Vickers Ditch	35a	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T39N, R7E	Intercepting diversion within described legal subdivision.		

P. Gerig (Dolly Knox) Ranch lying east of the railroad tracks. While this land is being irrigated the culverts under the State Highway 299 near Nubieber are kept closed.

Diversion 29 is Taylor Creek Reservoir from Taylor Creek in the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 8, T39N, R7E, MDB&M.

The reservoir is formed by an earth dam 29 feet high and 925 feet long. The reservoir has a capacity of 1,500 acre-feet. Water is released into an earth conduit system below the reservoir having a capacity of 30 cubic feet per second. The water is used to irrigate 855.5 acres of pasture and for domestic purposes on the L. S. Whaley property. The use of water and the description of the diversion system are described under Application 13207 in Appendix C.

Diversion 30 is Hemstead Ditch from the south side of Widow Valley Creek in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 21, T39N, R6E, MDB&M.

A small earth dam is used to divert water into an earth ditch for irrigation purposes. A total of 255 acres are irrigated from Diversions 31, 32, 33 and 34, on the Hemstead Ranch.

Diversion 31 is Hemstead Dam No. 1 on Widow Valley Creek in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M.

A small earth dam approximately 800 feet long and about two feet high is used to irrigate four acres of meadow hay on the W. Lee Ranch and 15.5 acres on the R. Hemstead Ranch as described under Diversion 35.

Diversion 32 is Hemstead Dam 2 on Widow Valley Creek in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M.

The diversion is made by a small earth dam approximately 700 feet long and two and one-half feet high. The water is used for irrigation purposes on the Hemstead Ranch for land listed under Diversion 35.



Appendix - D  
Decree 6395

SCHEDULE 1 (Cont'd.)

1

2

3 W. O. Gravier

4 Domestic - within NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T41N, R8E, MDB&M

5 W. L. Gray

6 Stockwater in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13, T38N, R7E, MDB&M  
7 Stockwater in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T38N, R7E, MDB&M  
(Bassett Hot Springs)

8 Stockwater in Lot 1, Section 19, T38N, R7E, MDB&M  
(Knox Spring Channel)

9 1.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13, T38N, R6E, MDB&M  
10 1.0 acre - Total (Knox Spring)

11 H. L. Hayes, Jessie Hayes and Emma Hayes

12 1 / 6.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
13 2 / 22.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
3 / 23.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
4 / 30.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
14 5 / 40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
6 / 1.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T39N, R7E, MDB&M  
15 7 / 5.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 27, T39N, R7E, MDB&M  
8 / 40.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T39N, R7E, MDB&M  
16 9 / 40.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T39N, R7E, MDB&M  
10 / 10.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27, T39N, R7E, MDB&M  
17 11 / 40.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, T39N, R7E, MDB&M  
12 / 40.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, T39N, R7E, MDB&M  
18 13 / 40.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34, T39N, R7E, MDB&M  
14 / 40.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, T39N, R7E, MDB&M  
19 15 / 40.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 35, T39N, R7E, MDB&M  
16 / 40.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T39N, R7E, MDB&M  
20 17 / 40.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T39N, R7E, MDB&M  
18 / 40.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, T39N, R7E, MDB&M  
21 537.0 acres - Total

22 Richard Hemsted and Karl Hemsted Lookout Ranch

23 10.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 21, T39N, R6E, MDB&M  
24 \*13.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, T39N, R6E, MDB&M  
3.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
25 34.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
4.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M

26 \*Denotes land irrigated outside of property line.

34-1 37-1  
544 + 108 = 652  
34-2 37-2  
0.17 + 0.21 + 0.94 = 1.32  
7.84

380 AC 574 cfs  
15 AC 21  
565 cfs  
Emily 380 AC  
H.J. 15 AC  
Emilia 76 AC  
H.J. 66 AC  
108 cfs  
194 cfs  
202

15-2 H.J. 22  
23  
15-37-2 H.J.  
20  
1  
5  
20  
20  
10  
142  
395  
142  
537

2.17 cfs 2nd  
B&M

Appendix - D  
Decree 6395

SCHEDULE 1 (Cont'd.)

Richard Hemsted and Karl Hemsted (cont'd)

*Lookout Ranch*

21.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
40.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
22.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
38.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
5.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 22, T39N, R6E, MDB&M  
27.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, T39N, R6E, MDB&M  
7.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, T39N, R6E, MDB&M  
29.5 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, T39N, R6E, MDB&M  
9.5 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M  
20.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M  
13.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M  
20.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M  
4.5 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, T39N, R6E, MDB&M  
22.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 27, T39N, R6E, MDB&M  
27.5 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 27, T39N, R6E, MDB&M  
25.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27, T39N, R6E, MDB&M  
\* 5.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 27, T39N, R6E, MDB&M  
400.5 acres - Total (Widow Valley Creek)

George W. Hines, Marvin A. Hines and Mason Hines

40.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, T40N, R7E, MDB&M  
40.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, T40N, R7E, MDB&M  
80.0 acres (Holl Creek)  
40.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 25, T40N, R7E, MDB&M  
40.0 acres (Lower Turner Creek)  
25.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
35.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
11.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T40N, R7E, MDB&M  
\* 9.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T40N, R7E, MDB&M  
80.0 acres (Unnamed Stream)  
40.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, T39N, R7E, MDB&M  
40.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, T39N, R7E, MDB&M  
40.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 25, T40N, R7E, MDB&M  
40.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
40.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
35.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
33.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
40.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M  
40.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 26, T40N, R7E, MDB&M

\*Denotes land irrigated outside of property line

R. 6 E. M.D.B. & M.

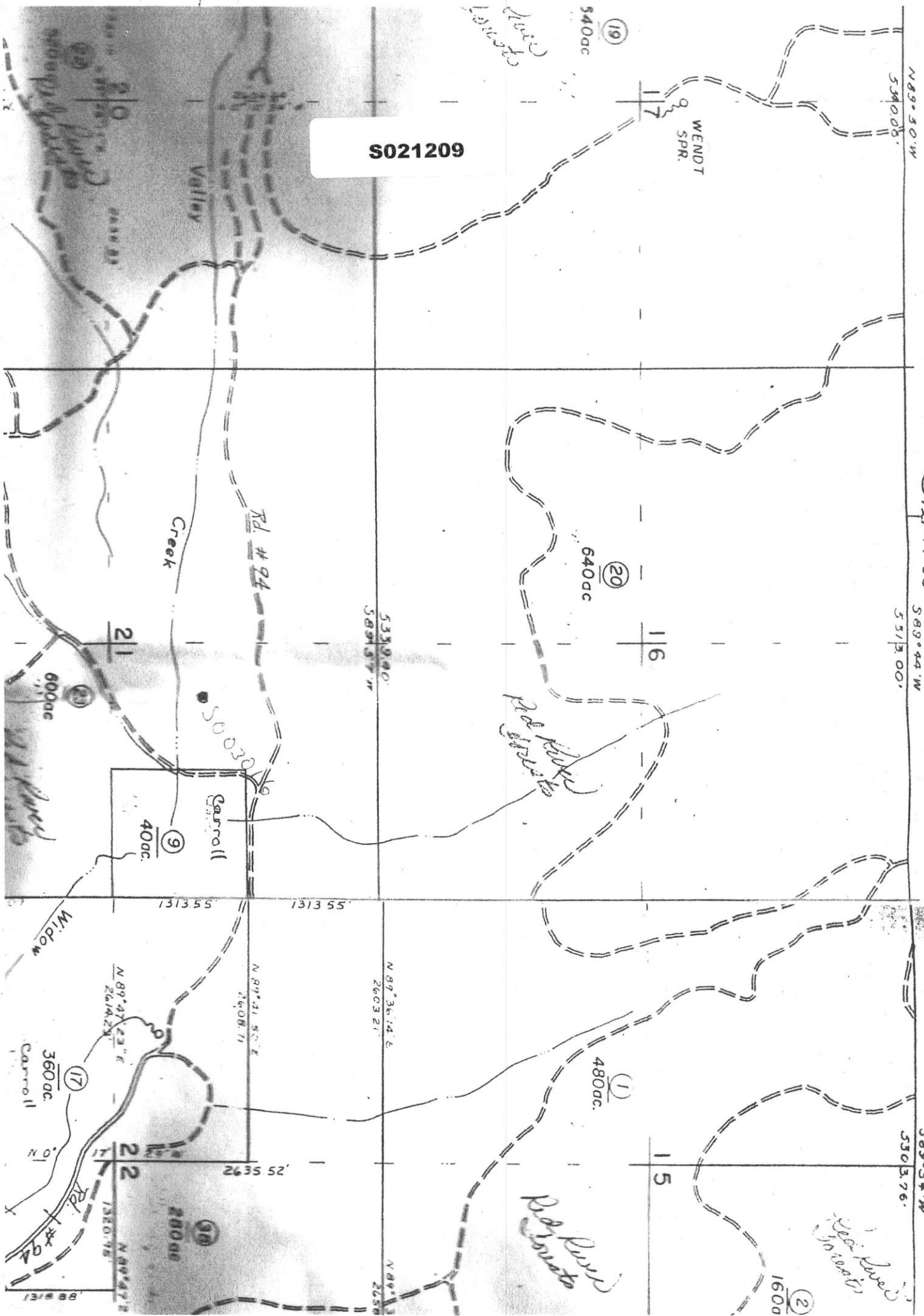
Appendix

31

Tax Area Code 56-16

11-2-21

S021209



T.39N. R.6 E. M.D.B. & M.

APR 17

32

Tax Area Code 56-14 56-16

11-34

121°15'00" S 89°38'W

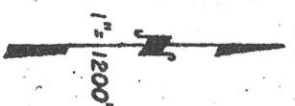
5134.8

36 316.93 ac

589°42'W 5312.34'

SBE PARCEL 1 829-25.15

2.87 ac



Red River  
79.98 ac

Red River  
316.93 ac

555.94 ac

5405.4' 51°39'E

Miles	45	46	47	48
	4	6	10	10
	Smith	Murder	Green	Parson

S021209

56-16 56-14

535°12' N 68°20'W

80 ac 11

Bk. 12 03

Valley

47 640 ac

23 603.95 ac

5280' DAY

5280'

41°12'30"

Widow  
50 214 18

OLI

40



E. 01.0 N  
2.0892

1346.79

35

NOTE--ASSESSOR'S BLOCK  
& LOT NUMBERS  
SHOWN IN CIRCLES

Coun

1210.17' 30"

5297.16'  
589.42' W

*App*

*Red forest*

2621.01

Volley Creek

2634.21

5240.40'

Widow

400.00' (1)

27

*Redwood forest*

35

LASSEN

5298.58'  
N 89° 42' W





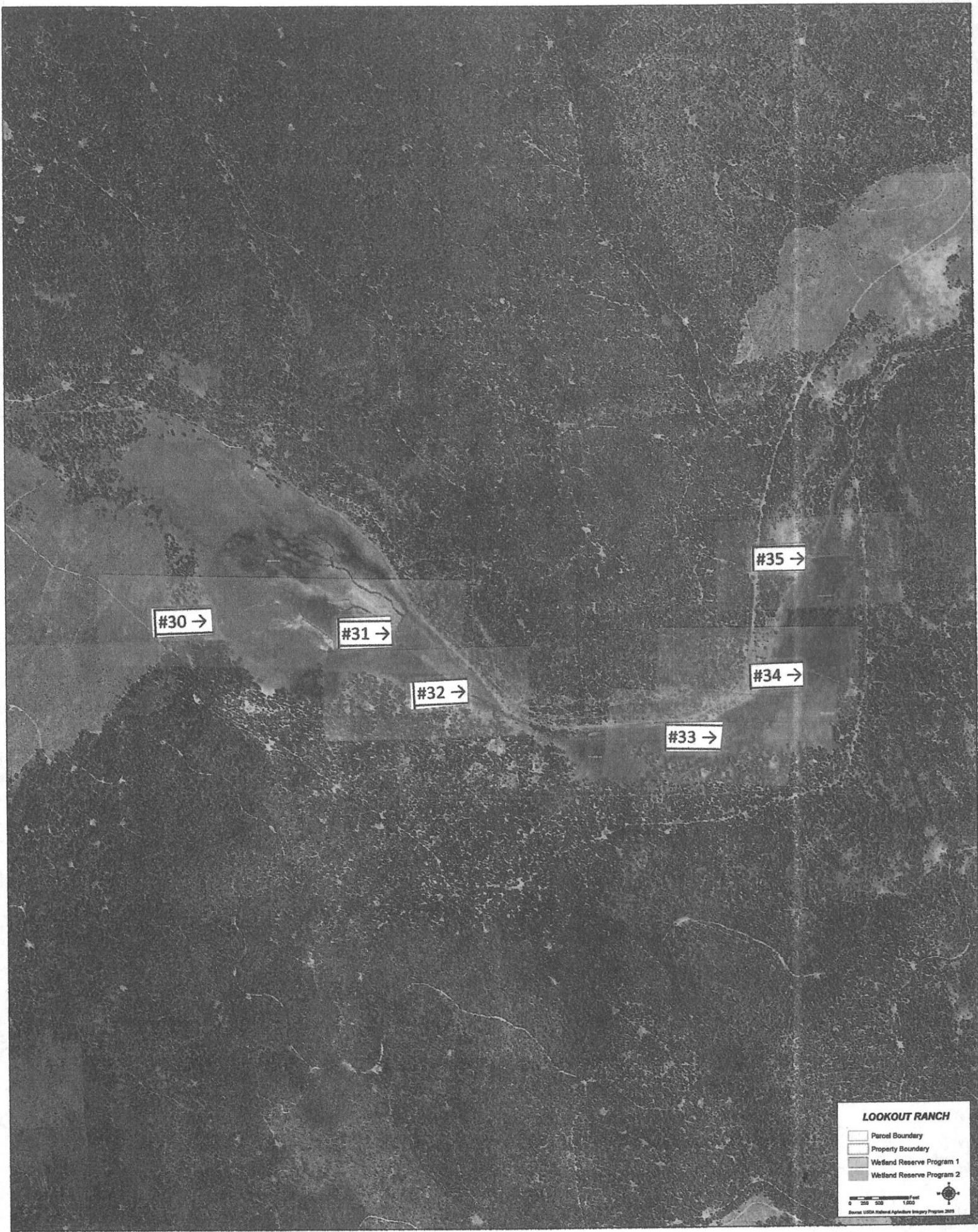
**LOOKOUT RANCH**

-  Parcel Boundary
-  Property Boundary
-  Wetland Reserve Program 1
-  Wetland Reserve Program 2

0 250 500 1,000 Feet  
Source: USDA National Agriculture Imagery Program 2005

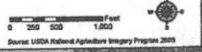






**LOOKOUT RANCH**

- Parcel Boundary
- Property Boundary
- Wetland Reserve Program 1
- Wetland Reserve Program 2



Source: USDA National Wetlands Inventory Program 2003