

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
1001 I Street, 14th 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

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 Peila</u>
Mailing Address <u>P.O. Box 166</u> <u>Lookout, Ca. 96054</u>	Mailing Address <u>P.O. Box 166</u> <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. 11-340-17
being within the SW 1/4 of SW 1/4 of Section 24, 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.

41.2010990, -121.2361264 / 41° 12' 3.9558" N / -121° 14' 10.053" W

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 #35-Hemsted Dam #5 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 145 (gallons or acre-feet)

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 X

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
						<u>145</u>	<u>145</u>	<u>145</u>					

H. Annual water use in recent years: Maximum 145 (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 (first name) J. (middle initial) Reila (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/, or write to this office.

Decree 6375

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 in feet	Distance from reference corner in feet
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.		

Diversion 33 is Hemstead Dam No. 3 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 500 feet long and two feet high. The water is used for irrigation purposes on the Hemstead Ranch for land listed under Diversion 35.

Diversion 34 is Hemstead Dam No. 4 from Widow Valley Creek in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, T39N, R6E, MDB&M.

A small earth dam approximately 1,200 feet long and two feet high is used to divert water for irrigation purposes on the Hemstead Ranch for land listed under Diversion 35.

Diversion 35 is Hemstead Dam No. 5 from Widow Valley Creek in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24, T39N, R6E, MDB&M.

A small earth dam approximately 700 feet long is used to spread water for irrigation of 145.5 acres of meadow hay on the Hemstead Ranch.

Diversion 36 is that of Kramer Reservoir on Widow Valley Creek in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30, T39N, R7E, MDB&M.

An earth dam 21.8 feet high and 340 feet long is used to form Kramer Reservoir which has a capacity of 345 acre-feet and a surface area of 30.4 acres. Water from the reservoir is released into Widow Valley Creek and rediverted through Diversions 37 and 38 for stock water and irrigation use on 540 acres of meadow hay and pasture on the L. W. Kramer Ranch. Use of water from this diversion is based on Application 5812 and 16968, described in Appendix C.

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

14

3 / 23.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T39N, R7E, MDB&M

15

4 / 30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T39N, R7E, MDB&M

16

5 / 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T39N, R7E, MDB&M

17

6 / 1.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T39N, R7E, MDB&M

18

7 / 5.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T39N, R7E, MDB&M

19

8 / 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T39N, R7E, MDB&M

20

9 / 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T39N, R7E, MDB&M

21

10 / 10.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T39N, R7E, MDB&M

22

11 / 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T39N, R7E, MDB&M

23

12 / 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T39N, R7E, MDB&M

24

13 / 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T39N, R7E, MDB&M

25

14 / 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T39N, R7E, MDB&M

26

15 / 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T39N, R7E, MDB&M

27

16 / 40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T39N, R7E, MDB&M

28

537.0 acres - Total

29

Richard Hemsted and Karl Hemsted Lookout Ranch

30

10.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, T39N, R6E, MDB&M

31

*13.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T39N, R6E, MDB&M

32

3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T39N, R6E, MDB&M

33

34.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T39N, R6E, MDB&M

34

4.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T39N, R6E, MDB&M

*Denotes land irrigated outside of property line.

34-1 37-1
5.44 + 1.08 = 6.52
34-2 37-2
0.17 + 0.21 + 0.94 = 1.32
7.84

380 AC 5.44 cfs
15 AC 1.21
5.65 cfs
Emilia 380 AC
H.J. 15 AC
Emilia 76 AC 1.08 cfs
H.J. 66 AC 1.94 cfs
2.02
Tract 34
LASSEN CO
Tract 37
Modoc Co

15-2 H.J. 22
23
15-37-2 H.J.
20 20
1 1
5 5
20 20
20 20
40 10
142
395
142
537

Appendix - D
Decree 6375

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

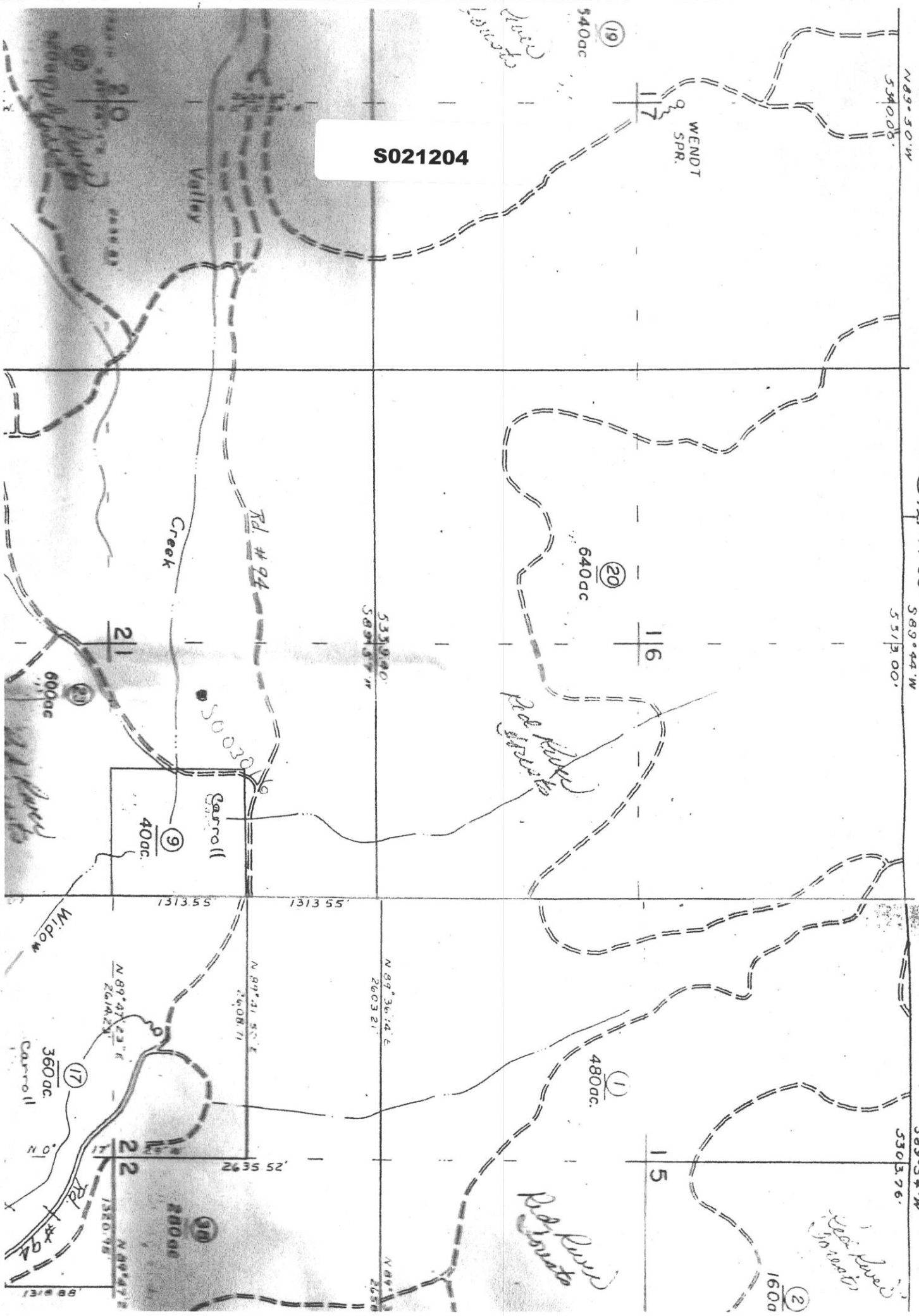
R. 6 E. M. D. B. & M.

Appendix

31

Tax Area Code 56-16

S021204



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

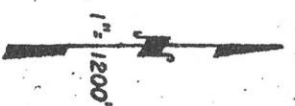
5134.8

316.93 ac

589°42'W
5312.34'

SBE PARCEL
829-25.15

2.87 ac



79.98 ac

Red River
Hollows

Red River
Hollows

555.94 ac

4

5405.4'
51°39'E

Red River
Hollows

Miles	45	41	44	43
	6	10	10	10
	Smith	Murder	Green	Parson
	4			

80 ac
29 FIR

56-16
56-14

535°12'
N 85°20'W

80 ac
11

Bk. 12
03

Valley

640 ac
47

23 603.95 ac

5325.54'
589°44'W

5280'
DAY

5280'

41°12'30"

Widow
Red River
Hollows

OLI

40

251

35

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

Couni

121° 17' 30"

5297.16'

589° 42' W

35

LASSEN

5298.58'

N85° 42' W

400 AC.

①

27

Volley Creek

5240.40' Widow

2634 21

2627 01

Highway 30

App

2



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 2003

